

and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petition of Woman's Board of Home Missions of the Presbyterian Church, New York, protesting against the passage of House bill 12543, for the admission of the Territories of Arizona and New Mexico to statehood—to the Committee on the Territories.

Also, report of the committee on foreign commerce and the revenue laws of the State of New York, and memorial of the Merchants' Association of New York, for reciprocity with Cuba—to the Committee on Ways and Means.

Also, circular of the Cuban delegation on economic affairs, giving a statement of the sugar production—to the Committee on Ways and Means.

By Mr. FITZGERALD: Resolution of Eureka Lodge, No. 434, Association of Machinists, Brooklyn, N. Y., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolution of Chamber of Commerce of New York, in favor of a reduction of the tariff on imports from Cuba—to the Committee on Ways and Means.

By Mr. GREEN of Pennsylvania: Petition of Caleb W. Durham, for adjudication of his claim to a certain patent—to the Committee on the Judiciary.

By Mr. GRIFFITH: Papers to accompany House bill 13798, granting an increase of pension to John H. Berry—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: Resolutions of Labor Union No. 9482, of Chandler, Ind., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. HOWELL: Petition of St. Stephen's Society, of Perth Amboy, N. J., favoring the passage of House bill 16, for the erection of a statue to the late Brigadier-General Count Pulaski at Washington, D. C.—to the Committee on the Library.

Also, petition of citizens of South Amboy, N. J., in favor of House bills 170 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. HULL: Paper to accompany House bill granting an increase of pension to H. C. Trout—to the Committee on Invalid Pensions.

By Mr. IRWIN: Paper to accompany House bill 10753, granting a pension to Jane McIntire—to the Committee on Invalid Pensions.

By Mr. JACK: Resolutions of Captain George A. Cribbs Circle, No. 50, Ladies of the Grand Army of the Republic, Department of Pennsylvania, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

Also, resolution of Mine Workers' Union No. 626, of Eleonora, Pa., for more rigid restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. KETCHAM: Resolutions of New York Trade and Labor Council of Poughkeepsie, N. Y., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. MAHON: Petitions of Captain Michael Smith Post, No. 355; George Simpson Post, No. 44; King Post, No. 365; Captain G. W. Ryan Post, No. 364, and Colonel P. B. Housum Post, No. 309, Grand Army of the Republic, Department of Pennsylvania, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

By Mr. MOODY of Massachusetts: Resolutions of American citizens of Jewish faith of Boston, Mass., relating to alleged violations of treaty obligations by Russia—to the Committee on Foreign Affairs.

By Mr. PUGSLEY: Resolutions of Building Trades Council of Yonkers, N. Y., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Painters and Decorators' Union No. 148, of Peekskill; Bakers' Union No. 122, of Port Chester, and Bricklayers and Masons' Union No. 20, of Ossining, N. Y., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Carpenters' Union No. 718, of New Rochelle; Bricklayers and Masons' Union No. 20, of Ossining, and Bakers' Union No. 122, of Port Chester, N. Y., favoring the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. RAY of New York: Papers to accompany House bill granting an increase of pension to Lewis Hitt, Rockland, N. Y.—to the Committee on Invalid Pensions.

Also, resolutions of Polish National Alliance of Haverly, N. Y., favoring the erection of a statue to the late Brigadier-General Count Pulaski at Washington—to the Committee on the Library.

By Mr. REID: Papers to accompany House bill to amend the

military record of James H. Tilley—to the Committee on Military Affairs.

Also, petition of McPherson Post, No. 1, Grand Army of the Republic, Department of Arkansas, favoring House bill 3037, relating to pensions—to the Committee on Invalid Pensions.

By Mr. RYAN: Resolutions of Buffalo Merchants' Exchange, against the Mather Power Bridge over the Niagara River to Grand Island—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Merchants' Exchange, Buffalo, N. Y., favoring House bill 8337 and Senate bill 3575, amending the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Branch No. 139, Polish National Alliance, and Branch No. 203, Polish Roman Catholic Union, Buffalo, N. Y., favoring the erection of a statue to the late Brigadier-General Count Pulaski at Washington—to the Committee on the Library.

Also, resolutions of the Merchants' Exchange of Buffalo, N. Y., and the Maritime Association of the Port of New York, urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Maritime Association of New York, favoring the passage of Senate bill 1026—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Merchants' Association of New York, urging reciprocity with Cuba upon the basis of not less than 40 per cent reduction—to the Committee on Ways and Means.

Also, resolution of the Chamber of Commerce of New York, urging 50 per cent reduction on sugar and tobacco tariff to Cuba—to the Committee on Ways and Means.

Also, resolution of the League of American Sportsmen, protesting against the slaughter of wild animals in Alaska—to the Committee on the Territories.

By Mr. SMITH of Illinois: Petition of citizens of New Albany and Jeffersonville, Ind., and Leominster, Mass., requesting the reduction of letter postage to 1 cent per ounce—to the Committee on the Post-Office and Post-Roads.

By Mr. TIRRELL: Resolutions of Temple Ohabei Shalom, Boston, Mass., relative to treaty regulations with Russia—to the Committee on Foreign Affairs.

Also, resolutions of Merchants' Association of Fitchburg, Mass., favoring a reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. WARNOCK: Paper sustaining the claim of John McDowell, for services for piloting troops of the United States during the civil war—to the Committee on Military Affairs.

By Mr. WOODS: Petition of officers of the California National Guard, favoring House bill 11654, increasing the efficiency of the militia—to the Committee on Militia.

## SENATE.

FRIDAY, April 18, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. McMILLAN, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

### CHINESE EXCLUSION IN THE PHILIPPINES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a letter from the Secretary of State, inclosing a copy of a dispatch from the United States minister to China, forwarding a copy of a protest from the Chinese Government against the exclusion of Chinese from the Philippines, together with a copy of the minister's note to the Foreign Office acknowledging the receipt of the protest; which, with the accompanying papers, was referred to the Committee on Immigration, and ordered to be printed.

### DUTY ON CUBAN SUGAR.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a letter from the military governor of Cuba, relative to the reduction of the duty on sugar in that island; which, with the accompanying papers, was referred to the Committee on Relations with Cuba, and ordered to be printed.

### INDIAN LANDS IN KANSAS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a report of the Commissioner of Indian Affairs, and accompanying

draft of a bill to amend an act approved February 28, 1899, entitled "An act providing for the sale of the surplus lands on the Pottawatomie and Kickapoo Indian reservations in Kansas, and for other purposes; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

#### ENROLLED BILLS SIGNED.

A message from the House of Representatives by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the President pro tempore.

A bill (S. 2371) granting a pension to Andrew J. Felt;

A bill (H. R. 12536) to further amend section 2399 of the Revised Statutes of the United States; and

A joint resolution (S. R. 56) providing for a modification in the adopted project for the improvement of Everett Harbor, Washington.

#### PETITIONS AND MEMORIALS.

Mr. NELSON presented a petition of Burdick Post, No. 3, Department of Minnesota, Grand Army of the Republic, of Spring Valley, Minn., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of the board of directors of the Chamber of Commerce of St. Paul, Minn., praying for the enactment of legislation providing for the reclamation and settlement of the arid public lands of the West; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented a petition of Local Division No. 357, Brotherhood of Locomotive Engineers, of Minneapolis, Minn., praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Mankato, Minn., praying for the enactment of legislation to increase the efficiency of the militia; which was referred to the Committee on Military Affairs.

He also presented petitions of Boot and Shoe Cutters' Local Union No. 281, of St. Paul; of Cigar Makers' Local Union No. 98, of St. Paul; of the Typographical Union of Minneapolis, and of the Lithographers' Union of St. Paul; all of the American Federation of Labor, in the State of Minnesota, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. BARD presented a petition of 36 officers of the Sixth Infantry Regiment, National Guard of California, praying for the enactment of legislation to increase the efficiency of the militia; which was referred to the Committee on Military Affairs.

Mr. MALLORY presented a petition of Laborers' Protective Union No. 8863, of St. Petersburg, Fla., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

Mr. SPOONER presented a petition of Bartenders' International League No. 331, of Beloit, Wis., praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which was ordered to lie on the table.

He also presented petitions of the Federal Labor Union of Edgerton; of Stuart Reid Lodge, No. 300, International Association of Machinists, of Milwaukee; of the Central Labor Union of Beloit, and of the Boot and Shoe Workers' Union of Janesville, all in the State of Wisconsin, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. WARREN presented a petition of Lodge No. 322, International Association of Machinists, of Rawlins, Wyo., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented a petition of the Wool Growers' Association of Carbon County, Wyo., praying for the passage of the so-called pure fiber bill; which was referred to the Committee on Finance.

Mr. BAILEY presented petitions of Painters, Decorators, and Paperhangers' Local Union No. 432, of Palestine; of Boot and Shoe Workers' Local Union No. 293, of Houston; of Bricklayers' Local Union No. 13, of Paris; of Cigar Makers' Local Union No. 364, of Victoria; of Amalgamated Sheet Metal Workers' Local Union No. 74, of Waco; of the Galveston Labor Council, of Galveston; of Typographical Union No. 172, of San Antonio; of Typographical Union No. 472, of Palestine; of Amalgamated Sheet Metal Workers' Local Union No. 120, of Sherman; of Locomotive Firemen's Local Union No. 177, of Marshall; of Carpen-

ters' Local Union No. 662, of Mineral Wells; of Brewery Workers' Local Union No. 157, of Dallas; of Bricklayers' Local Union No. 8, of Austin; of Bricklayers' Local Union No. 3, of El Paso; of Typographical Union No. 173, of Dallas; of Retail Clerks' Local Union No. 331, of San Antonio; of Bricklayers' Local Union No. 11, of Corsicana; of Railway Conductors' Local Union No. 57, of Fort Worth; of Barbers' Local Union No. 189, of Palestine; of Boiler Makers and Iron Shipbuilders' Local Union No. 209, of Denison; of Cigar Makers' Local Union No. 418, of Huntsville; of Bartenders' Local Union No. 12, of San Antonio; of Cooks and Waiters' Local Union No. 219, Hotel and Restaurant Employees' International Alliance, of San Antonio, and of Steamfitters' Local Union No. 90, of Denison, all in the State of Texas, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which were ordered to lie on the table.

Mr. GAMBLE presented a memorial of sundry merchants of Yankton, S. Dak., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Stock Growers' Association of Western South Dakota, praying for the passage of the so-called pure-fiber bill; which was referred to the Committee on Finance.

Mr. KEARNS presented petitions of sundry citizens of southern Utah, and of Mohave and Coconino counties, in the Territory of Arizona, praying for the enactment of legislation providing for the annexation to Utah of that portion of Arizona lying north of the Colorado River; which were referred to the Committee on Territories.

Mr. FAIRBANKS presented a petition of Local Union No. 812, United Brotherhood of Carpenters and Joiners, of Vincennes, Ind., praying for the reenactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented the memorial of George Meritt & Co., of Indianapolis, Ind., remonstrating against the enactment of any tariff legislation that will injure American industries; which was referred to the Committee on Finance.

He also presented a petition of Local Union No. 9482, American Federation of Labor, of Chandler, Ind., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

Mr. HOAR. I present a petition of Confederate officers who were engaged in the battle of Balls Bluff, and other citizens of Virginia, praying for an appropriation to preserve the soldiers' cemetery and the battlefield there. The matter involves a small appropriation.

This is a very interesting historical document, indicating a friendly and kindly feeling on the part of those officers toward the men with whom they were in conflict. It consists of but a few lines, and I ask that it may be printed in the RECORD, with the signatures.

I also present the petition of Gen. John W. Kimball and other veterans of the civil war, members of the Fifteenth Massachusetts Volunteers, who took part on the other side. I ask that this petition, with the signatures, may likewise be printed in the RECORD.

There being no objection, the petitions were referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

#### To the Congress of the United States:

The undersigned citizens of Loudoun County, Va., residing near Balls Bluff, have learned that certain veterans of the United States Army who were engaged in the battle of Balls Bluff, fought on October 21, 1861, and who displayed there signal gallantry under adverse circumstances, have presented to your honorable body a memorial asking that the United States Government will purchase at least a portion of the lands upon which that battle was fought and which are contiguous to the national cemetery already established there and a right of way thereto from the neighboring highway. We cordially concur in the said memorial and pledge our hearty cooperation in preserving the battlefield from devastation and in keeping the landmarks intact and in carrying out the purposes for which it is proposed for the United States Government to purchase said property. We call attention to the fact that there is now no public approach or open way to said national cemetery.

E. V. White, colonel, Confederate States Army, and president of the People's National Bank, of Leesburg, Va.; Wm. B. Lynch, captain, Confederate States Army, and president of the National Bank of Leesburg, Va.; W. E. Garrett, captain Company I, Eighth Virginia Infantry, and was in Balls Bluff battle; A. H. Rogers, aid-de-camp to General Evans, Confederate States Army; H. D. Clagett, captain, Confederate States Army; A. M. Chichester, captain, Confederate States Army; G. L. Norris, Army of Northern Virginia, contractor and builder; Jno. H. Alexander, ex-Confederate, Leesburg, Va.; A. J. Bradfield, farmer, Leesburg, Va.; W. N. Wise, Army of Northern Virginia, Leesburg, Va.; Henry Harrison, Army of Northern Virginia, Leesburg, Va.; Cor. Shawn, farmer, Loudoun County, Va.; A. Dibrell, son of a Confederate veteran; E. Littleton, son of a Confederate veteran; Carroll Pierce; E. H. Potts; T. A. Vandevanter, Army of Northern Virginia, county treasurer; W. D. Hempstone, Army of Northern Virginia, county court clerk; J. B. McCabe, attorney at law; A. H. Throckmorton, attorney at law and editor of the Record; R. M. Preston, treasurer of the People's National Bank, of



Leesburg, Va.; H. A. Thompson, cashier of the People's National Bank, of Leesburg, Va.; B. McIntosh, assistant cashier of the People's National Bank, of Leesburg, Va.; E. F. James, runner of the People's National Bank, of Leesburg, Va.; W. Preston Gibson, bookkeeper of the People's National Bank, of Leesburg, Va.; J. B. Titus; T. M. Helm; H. C. Sellman, Confederate States Army; R. J. N. Reid, editor of the Mirror; N. G. West, former surgeon, Seventh Georgia Infantry; T. W. Edwards, Leesburg, Va.; Ed. B. Harrison, Leesburg, Va.; H. H. Russell, sheriff of Loudoun County; Chas. T. Laycock, deputy sheriff of Loudoun County; B. W. Franklin, deputy clerk county court; Richard A. Tebbs, judge of the county court and son of a deceased Confederate lieutenant-colonel; E. B. White, son of Col. E. V. White; Chas. F. Harrison, attorney at law, Leesburg, Va.; Edw. L. Pleasants, Jno. E. Milbourne, N. S. Purcell, J. W. Bitzer, C. A. Ellmore, R. L. Nixon, John T. Hourihane, H. B. Chamblin, Daniel G. Hourihane, Thomas A. McCabe, E. T. Adams, S. N. Underwood, T. F. Shroff, R. B. Wildman, Jos. E. Schooley.

*To the honorable Senate and House of Representatives of the United States in Congress assembled:*

Your memorialists respectfully represent that they are citizens and were formerly in the military service of the United States in the civil war of 1861-1865; that they were engaged in the action commonly known as the battle of Balls Bluff, near Leesburg, Va., October 21, 1861; that this battle, though the number of men engaged on each side was not large, attracted public attention throughout the country to an unusual degree and had a material influence on the conduct of the war; that the commander of the Union forces, Maj. Gen. Edward D. Baker, of California, a man greatly distinguished in civil life, was killed there; that the regiments engaged on the Union side, and there for the first time under fire, the Fifteenth and Twentieth Massachusetts, the Forty-second New York, and the Seventy-third Pennsylvania Volunteers, were all greatly distinguished for their valor and prowess, their losses in the great battles of the war being remarkably large; that in the year 1865, a small national cemetery, about 50 feet square, was inclosed and the bodies of the dead, almost all unknown, who fell in the action were buried there; that this little cemetery has been neglected, and the inclosing wall has been allowed to fall into ruin; that the place has been repeatedly visited by considerable parties of survivors of the action with their families and friends, who were grieved by its ruinous and forlorn aspect.

Your memorialists therefore respectfully and earnestly pray that a tract of land of reasonable extent, including the site of the action at Balls Bluff, may be acquired by the United States, and such disposition made thereof as to secure a permanent and becoming memorial of the patriotism and gallantry of the men who fought and died there in defense of the integrity and honor of their country.

John W. Kimball, major, Fifteenth Regiment Massachusetts Volunteers, brevet brigadier-general, United States Volunteers; John M. Studley, late captain, Fifteenth Regiment Massachusetts Volunteers, lieutenant-colonel, Fifty-first Massachusetts Volunteers; Thomas J. Hastings, late captain, Fifteenth Regiment Massachusetts Volunteers; J. Everts Irwin, formerly captain, Fifteenth Regiment Massachusetts Volunteers; E. J. Russell, formerly captain, Fifteenth Regiment Massachusetts Volunteers; Amos Bartlett; Henry S. Taft, late captain, Fifteenth Regiment Massachusetts Volunteers, brevet lieutenant-colonel, United States Volunteers; George W. Mirick; Henry E. Smith, color bearer Fifteenth Regiment Massachusetts Volunteer Militia; Edward A. Rice; William H. Andrews, Company D, Fifteenth Massachusetts Volunteers; Josiah W. Wilder, Company B, Fifteenth Massachusetts Volunteers; Albert H. Foster, Company F, Fifteenth Massachusetts Volunteers; Charles H. Bartlett, Company F, Fifteenth Massachusetts Volunteers; Josiah C. Converse, Company F, Fifteenth Massachusetts Volunteers; John E. Pharnes, Company K, Fifteenth Massachusetts Volunteers; Theodore Lanston, Company H, Fifteenth Massachusetts Volunteers; David M. Earle, captain, Fifteenth Massachusetts Volunteers; Robert Welsh, Company K, Fifteenth Massachusetts Volunteers; L. D. Goddard, Company D, Fifteenth Massachusetts Volunteers; Peleg F. Murray, Company E, Fifteenth Regiment Massachusetts Volunteers.

Mr. QUAY presented petitions of Hurst Post, No. 86, of Camp-town; of John S. Bittner Post, No. 122, of Pennsylvania; of William H. Moody Post, No. 155, of Pittsburg; of Sergeant William I. Furst Post, No. 419, of Stormstown; of General William H. Kein Post, No. 76, of Reading; of Perkins Post, No. 202, of Athens; of Capt. Thomas Espy Post, No. 153, of Carnegie, all of the Department of Pennsylvania, Grand Army of the Republic, and of Circle No. 88, Ladies of the Grand Army of the Republic, of Sharpsville, all in the State of Pennsylvania, praying for the enactment of legislation providing pensions to certain officers and men in the Army and Navy of the United States when 50 years of age and over, and to increase pensions of widows of soldiers to \$12 per month; which were referred to the Committee on Pensions.

Mr. FRYE presented a petition of the Union League Club, of New York City, N. Y., praying for the enactment of legislation to protect the President of the United States and other Federal officers; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (H. R. 639) granting an increase of pension to Justus Canfield, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1359) authorizing an increase of pension in certain cases, reported it with amendments, and submitted a report thereon.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the joint resolution (S. R. 80) postponing the payment of taxes on real estate in the District of Co-

lumbia for the fiscal year 1903, from November, 1902, to May, 1903, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. SCOTT, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3379) to correct the military record of Calvin A. Rice, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4484) to correct the military record of Calvin A. Rice, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 4932) providing for the extension of the Loudon Park National Cemetery, near Baltimore, Md., reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 3826) granting an increase of pension to George W. Dodge; and

A bill (H. R. 7994) granting an increase of pension to Margaret M. Grant.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2526) granting an increase of pension to William J. Simmons;

A bill (H. R. 7903) granting an increase of pension to Ernest Wagner; and

A bill (H. R. 1678) granting a pension to Mary E. F. Gilman.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3592) for the relief of Henry Lane, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4549) for the relief of Henry Lane, reported adversely thereon, and the bill was postponed indefinitely.

Mr. BURTON, from the Committee on Forest Reservations and the Protection of Game, to whom was referred the bill (S. 5228) for the purchase of a national forest reserve in the Southern Appalachian Mountains, to be known as the "National Appalachian Forest Reserve," reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 11535) for the protection of game in Alaska, and for other purposes, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. McMILLAN introduced a bill (S. 5310) for the extension of Frankfort street; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. TURNER introduced a bill (S. 5311) for the relief of Joseph's Band of Nez Perce Indians; which was read twice by its title, and, with the accompanying paper, which was ordered to be printed as a document, referred to the Committee on Indian Affairs.

Mr. MALLORY introduced a bill (S. 5312) for the relief of Sarah E. Callahan; which was read twice by its title, and referred to the Committee on Claims.

Mr. MONEY introduced a bill (S. 5313) for the relief of the estate of Mrs. Elizabeth Hull Wellford, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCUMBER introduced a bill (S. 5314) to confirm and legalize prior admissions to citizenship of the United States where the judge or clerk of the court administering the oath to the applicant or his witnesses has failed to sign or seal the record oath or the judgment of admission, and to establish a proper record of such citizenship; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. SPOONER introduced a bill (S. 5315) granting an increase of pension to Albison Shaw; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. WARREN introduced a bill (S. 5316) providing for an additional circuit judge in the eighth judicial circuit; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HANSBROUGH introduced a bill (S. 5317) granting an increase of pension to Elihue Wiley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5318) granting the settlers on the Fort Rice abandoned military reservation the right to make final proof in conformity with the provisions of the general homestead laws of the United States; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. NELSON introduced a bill (S. 5319) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Committee on Indian Depredations.

He also introduced a bill (S. 5320) granting an increase of pension to Sarah C. Edgerton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 5321) granting a pension to Rebecca H. Geyer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULBERSON (by request) introduced a bill (S. 5322) for the relief of Mary A. Shaw; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PETTUS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 5323) for the relief of the estate of Hiram Peters, deceased;

A bill (S. 5324) for the relief of C. M. Simmons; and

A bill (S. 5325) for the relief of Lucy A. Vaughn.

Mr. CULLOM introduced a bill (S. 5326) granting an increase of pension to Jasper N. Harrelson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5327) granting an increase of pension to James S. Rearden; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5328) to remove the charge of desertion and to grant an honorable discharge to Benjamin Brothers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. LODGE introduced a bill (S. 5329) authorizing the President to appoint Lieut. Commander William P. Randall, retired, United States Navy, a commander on the retired list; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. TILLMAN introduced a bill (S. 5330) for the relief of John L. Young; which was read twice by its title, and referred to the Committee on Claims.

Mr. WELLINGTON introduced a bill (S. 5331) for the relief of Celia Ford; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCUMBER introduced a bill (S. 5332) to confirm divers records and judgments admitting certain persons to be citizens of the United States and to confirm the filing, entry upon, report, final proof of, and title obtained to public lands; which was read twice by its title, and referred to the Committee on the Judiciary.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. HANSBROUGH submitted an amendment making such portions of the appropriations for the work of the Geological Survey as the Secretary of the Interior may designate applicable for use in the islands of Porto Rico and Hawaii, intended to be proposed by him to the sundry civil appropriation bill; which was ordered to lie on the table, and be printed.

Mr. STEWART submitted an amendment authorizing the Secretary of the Treasury to state an account with Morgan's Louisiana and Texas Railroad and Steamship Company for transporting the United States mails over postal routes numbered 30003 and 149003 during the period between July 1, 1878, and February 21, 1892, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. McCOMAS submitted an amendment proposing to appropriate \$15,000 for the purchase of additional land for the extension of the Loudon Park National Cemetery, near Baltimore, Md., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HOAR submitted an amendment proposing to appropriate \$5,000 for the purchase and preservation of the battlefield of Ball's Bluff and the soldiers' burial place there and for putting the same in suitable condition, etc., intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

#### ESTATE OF JOSHUA HILL.

Mr. HOAR submitted the following resolution; which was referred to the Committee on Privileges and Elections:

*Resolved*, That there be paid out of the contingent fund of the Senate to the personal representatives of Joshua Hill, deceased, late a Senator of the United States from the State of Georgia, \$6,002.79, as Senator from March 4, 1867, the date upon which the vacancy he was elected to fill began, to July 29, 1868, from which date his compensation as Senator began.

#### UNION RAILROAD STATION.

Mr. McMILLAN I ask unanimous consent to call up the bill (S. 4825) to provide for a union railroad station in the District of Columbia, and for other purposes.

The PRESIDENT pro tempore. The Senator from Michigan asks for the present consideration of a bill, which will be read in full to the Senate for its information.

The Secretary proceeded to read the bill, and read to line 15 on page 3.

Mr. JONES of Arkansas. How is the bill before the Senate? What is its parliamentary situation?

The PRESIDENT pro tempore. It was reported from the Committee on the District of Columbia and is in charge of the Senator from Michigan [Mr. McMILLAN]. He asks unanimous consent for its present consideration, and it is now being read to the Senate for information.

Mr. JONES of Arkansas. If it is to be read for information, subject to objection, I do not object, but it strikes me that the bill can not be taken up for consideration now. Still I shall not object to its being read for information.

The Secretary resumed the reading of the bill and read to the bottom of page 3.

Mr. JONES of Arkansas. I will interpose an objection to the consideration of the bill now. It is evidently a bill of considerable length. It is quite an important bill, and it will have to take some time for consideration.

Mr. McMILLAN. I do not understand that the Senator objects to the reading of the bill.

The PRESIDENT pro tempore. The Senator does object.

Mr. JONES of Arkansas. Yes; I object to it. It is a long bill, and I think it may as well be read when it comes up for consideration.

Mr. McMILLAN. I move that the bill be considered now. I make that motion.

The PRESIDENT pro tempore. The Senator from Michigan moves that the Senate proceed to the consideration of the bill notwithstanding the objection.

Mr. JONES of Arkansas. I hope that will not be done.

Mr. GALLINGER. The motion is not debatable.

Mr. JONES of Arkansas. There are a good many Senators who have not had an opportunity to examine the bill. I have heard it discussed in an informal way by Senators and a good deal of doubt expressed about the propriety of its passage. I for one have not had time to understand fully what is in it. I do not, of course, ask the Senate to postpone it for that reason, but I do think it ought to be more carefully and more fully understood by members of the Senate than it is now. The consideration of the bill ought not to be pressed at this time. I hope the Senator from Michigan will allow the bill to go over for a day or two.

Mr. McMILLAN. If the Senator will allow the bill to be read I will let it go over. Since the reading has been commenced I should like to have it read through.

Mr. JONES of Arkansas. I do not object to its being read except for the time it will take.

Mr. McMILLAN. It will not take very long.

Mr. JONES of Arkansas. Very well.

The PRESIDENT pro tempore. The reading will be resumed.

The Secretary resumed and concluded the reading of the bill, which had been reported from the Committee on the District of Columbia with an amendment, in section 1, page 2, line 4, after the word "continuing," to strike out "along" and insert "under the west side of;" so as to read:

thence curving to the northward, crossing over Canal street and South Capitol street with a clearance of not less than 14 feet above the curbs thereof; thence passing under the intersection of D street with New Jersey avenue, C street SE., and B street SE. at the intersection with First street; thence continuing under the west side of First street to near E street NE; thence curving to the eastward, crossing under the proposed circle at Massachusetts avenue to a connection with the tracks in the proposed terminal station to be built on the north side of Massachusetts avenue hereinafter provided for.

Mr. McMILLAN. I offer an amendment to the bill, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In section 2, on page 6, line 19, after the word "on," it is proposed to strike out "each;" in the same line, before the word "westerly," to strike out "easterly and the," and in line 20, before the word "of," to strike out "sides" and insert "side;" so as to make the proviso read:

*Provided*, That on the westerly side of said railway station sufficient land for a street not less than 40 feet in width shall be dedicated to the District of Columbia by the said railroad company and said terminal company.

The amendment was agreed to.

Mr. McMILLAN. I offer another amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Michigan will be stated.

The SECRETARY. In section 4, on page 9, line 18, after the word



"upon," it is proposed to strike out "square" and insert "squares;" and in line 19, after the word "eleven," to insert "712 and 713;" so as to read:

and also within the city of Washington in, over, and upon the bed of Second street, between M and N streets, and in and upon squares 711, 712, and 713, etc.

The amendment was agreed to.

Mr. McMILLAN. I offer another amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated. The SECRETARY. In section 5, on page 12, line 2, after the word "and," it is proposed to strike out "the west 40 feet of Delaware avenue;" and in line 4, after the word "and," to insert "so much of the bed of Delaware avenue as lies west of a line drawn parallel with the east building line of said avenue, and 40 feet west-erly therefrom."

The amendment was agreed to.

Mr. McMILLAN. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated. The SECRETARY. In section 9, on page 20, line 16, after the words "And provided further," it is proposed to strike out:

That the right to institute condemnation proceedings as authorized in this section shall cease and expire two years after the date of approval of this act.

And in lieu thereof to insert the following:

That any property owner whose land is included within such location shall have the right, within two years, to begin proceedings to compel the appropriation of said land by said company and the payment of damages in the same manner as if the proceedings had been instituted by the company under the provisions of this act.

The amendment was agreed to.

Mr. McMILLAN. I offer another amendment, which I send to the desk, to come in on page 24, line 18.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In section 12, on page 24, line 18, after the word "thereto," it is proposed to strike out "and to authorize the use of."

The amendment was agreed to.

Mr. McMILLAN. Mr. President, I ask that a reprint may be made of the bill as it has been amended.

The PRESIDENT pro tempore. The Senator from Michigan asks that the bill be reprinted as amended, and that it take its place again on the Calendar.

Mr. McMILLAN. I ask that the numbering of section 12 be changed to 13.

The PRESIDENT pro tempore. The clerks will attend to the renumbering of the sections. If there be no objection, the reprint of the bill, with the amendments which have been made, will be ordered.

Mr. SPOONER. Have the amendments been adopted?

Mr. McMILLAN. The amendments which have been recommended by the committee have been adopted.

Mr. JONES of Arkansas. I thought the understanding was that the consideration of this bill was to go over after it should have been read, without acting upon the amendments.

Mr. McMILLAN. I merely wanted the amendments which have been offered to be printed in the bill, so that Senators may see precisely what they are.

Mr. JONES of Arkansas. I have no objection to the amendments being printed in the bill, but I do not want them printed in the bill as having been agreed to. Let them be printed as being offered, subject to action hereafter.

Mr. McMILLAN. Very well. All I care for is to have the amendments which have been submitted appear in the reprint of the bill.

Mr. JONES of Arkansas. I have no objection to their being reprinted so as to appear in the bill, but my objection is to having them regarded as agreed to.

The PRESIDENT pro tempore. The amendments have all been agreed to. Shall they be reconsidered?

Mr. JONES of Arkansas. The agreement was in the beginning, when the consideration of the bill was asked, that if I would withdraw my objection to the consideration of the bill it might be read and then go over. There was no intention that a lot of amendments should be agreed to at this time.

Mr. McMILLAN. Very well. Let the amendments be reprinted as pending.

Mr. JONES of Arkansas. I am perfectly willing that the amendments be printed as pending, but they certainly should not be adopted at this time in the face of the agreement which was made.

The PRESIDENT pro tempore. If there be no objection, the vote by which the various amendments have been adopted will be regarded as reconsidered, and the bill will be ordered to be reprinted with the amendments in the bill.

Mr. CULLOM. But not considered as adopted?

The PRESIDENT pro tempore. Not considered as adopted.

Is there objection? The Chair hears none, and that order is made.

Mr. McMILLAN. I wish to give notice that in the first part of next week—say on Tuesday or Wednesday, during the morning hour—I shall call up the bill for further consideration.

Mr. PATTERSON. I offer the amendment which I send to the desk, which I ask to have read and printed.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. At the end of section 9 it is proposed to insert the following:

Add at the end of section 9:

"and any railroad company whose tracks may or shall connect with or intersect the tracks of any of the companies hereinbefore named shall have the right to move its passenger traffic over the tracks so connected with or intersected, and to use the main passenger station and terminals hereinbefore provided for upon such terms as may be agreed upon between such railroad company and the company or companies owning said tracks, station, or terminals; and in case of failure on part of any of such companies to agree about such use either as to terms, accommodations, schedules or otherwise, the matters in dispute shall be submitted to the supreme court of the District of Columbia in equity term for its determination upon the petition of either party to the controversy, and jurisdiction to hear and consider such disputes and to finally adjudicate the same according to principles of equity and the very right of the matter, and to enforce its orders or decrees in such respect is hereby conferred upon said supreme court."

The PRESIDENT pro tempore. The amendment will be ordered to be printed and lie upon the table.

Mr. MONEY. I should like to make an inquiry. I do not understand the status of the bill reported by the Committee on the District of Columbia, which has been pending, and I ask what it is?

The PRESIDENT pro tempore. The bill is on the Calendar under Rule VIII, and has been read.

Mr. MONEY. And no time fixed for its consideration?

The PRESIDENT pro tempore. No time has been fixed for its consideration.

Mr. JONES of Arkansas. The Senator from Michigan [Mr. McMILLAN] has given notice that he will move to take up the bill on Monday or Tuesday next.

Mr. McMILLAN. Yes; I gave that notice.

Mr. MONEY. Very well.

#### GRANT OF LANDS TO COLORADO SPRINGS, COLO.

Mr. TELLER. I ask unanimous consent for the present consideration of the bill (S. 4148) to grant certain lands to the city of Colorado Springs, Colo.

Mr. LODGE. Mr. President, I give notice that after this bill has been considered, I shall ask for the regular order. I think we ought to go to the Calendar.

Mr. SPOONER. I hope the Senator from Massachusetts will amend that and say after this bill and the next one have been considered.

Mr. LODGE. After this bill and the amendment to the rules proposed by the Senator from Wisconsin [Mr. SPOONER] shall have been considered I shall ask for the regular order.

The PRESIDENT pro tempore. The Senator from Colorado [Mr. TELLER] asks unanimous consent for the present consideration of the bill named by him.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4148) to grant certain lands to the city of Colorado Springs, Colo.; which has been reported from the Committee on Public Lands with an amendment, after the word "twenty-eight," in line 5, page 1, to strike out:

All of south half of section 29 not included in the United States Military Reservation; all of northeast quarter of section 31 not included in the United States Military Reservation; all of southeast quarter of section 31; all of northwest quarter of section 32 not included in the United States Military Reservation.

And in lieu thereof to insert:

All of south half of section 29 not included in the grant made to the city of Colorado Springs under the act of Congress approved April 24, 1896; all of northeast quarter of section 31 not included in the grant to the city of Colorado Springs under the act of Congress approved April 24, 1896; all of southeast quarter of section 31; all of northwest quarter of section 32 not included in the grant made to the city of Colorado Springs under the act of Congress approved April 24, 1896.

So as to make the bill read:

Be it enacted, etc., That the following-described tracts of land, situate in the county of El Paso and State of Colorado, described as follows: All of south half of south half of section 28; all of south half of section 29 not included in the grant made to the city of Colorado Springs under the act of Congress approved April 24, 1896; all of northeast quarter of section 31 not included in the grant to the city of Colorado Springs under the act of Congress approved April 24, 1896; all of southeast quarter of section 31; all of northwest quarter of section 32 not included in the grant made to the city of Colorado Springs under the act of Congress approved April 24, 1896; all of northeast quarter, all of southwest quarter, and all of north half of southeast quarter of section 32; all of north half, all of north half of southwest quarter, all of southwest quarter of southwest quarter, all of north half of southeast quarter, and all of southeast quarter of southeast quarter of section 33. All of the above-described land is in township 14 south, range 68 west, of sixth principal meridian. Also, all of east half of northeast quarter and all of north half of south half of section 4, township 15 south, range 68 west, of sixth principal meridian; all of north half of southeast quarter, all of west half of northeast quarter, and all of northwest quarter of section 5, township 15 south, range 68 west, containing 2,151.5 acres, more or less, be, and the same are hereby,

granted and conveyed to the city of Colorado Springs, in the county of El Paso and State of Colorado, upon the payment of \$1.25 per acre by said city to the United States, to have and to hold said lands to its use and behoof forever for purposes of water storage and supply of its waterworks; and for said purposes said city shall forever have the right, in its discretion, to control and use any and all parts of the premises herein conveyed, and in the construction of reservoirs, laying such pipes and mains, and in making such improvements as may be necessary to utilize the water contained in any natural or constructed reservoirs upon said premises.

The amendment was agreed to.

Mr. TELLER. I offer the amendment which I send to the desk, to come in at the end of the bill.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Colorado will be stated.

The SECRETARY. It is proposed to insert at the end of the bill the following:

*Provided, however,* That the grant hereby made is, and the patent issued hereunder shall be, subject to all legal rights heretofore acquired by any person or persons in or to the above-described premises, or any part thereof, and now existing under and by virtue of the laws of the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. W. H. CROOK, one of his secretaries, announced that the President had on the 17th instant approved and signed the following acts:

An act (S. 2063) granting a pension to Ida S. McKinley; and

An act (S. 1178) providing for an additional circuit judge in the second judicial circuit.

#### PROPOSED AMENDMENT OF THE RULES.

Mr. SPOONER. Mr. President, I ask unanimous consent for the present consideration of Calendar No., 1093, being Senate resolution 187, in regard to an amendment of the rules.

There being no objection, the Senate proceeded to consider the following resolution, reported by Mr. SPOONER from the Committee on Rules on the 12th instant:

*Resolved,* That Rule I, clause 4, be amended by inserting after the words "Vice-President," in the first line thereof, the words "or whenever the powers and duties of the President shall devolve on the Vice-President," so that the clause when amended shall read as follows:

"In event of the death of the Vice-President, or whenever the powers and duties of the President shall devolve on the Vice-President, the President pro tempore shall have the right to name, in writing, a Senator to perform the duties of the Chair during his absence; and the Senator so named shall have the right to name in open session, or in writing, if absent, a Senator to perform the duties of the Chair, but such substitution shall not extend beyond adjournment, except by unanimous consent."

And further, by direction of the same committee, I give notice in writing of said proposed amendment to the fourth clause of the first rule, and that the purpose thereof is to so change the language of clause 4 that it will cover contingencies not now provided for.

Mr. SPOONER. In line 12 of the resolution I move to strike out the semicolon and insert a comma.

The amendment was agreed to.

The resolution as amended was agreed.

#### MEMORIAL TO ABRAHAM LINCOLN.

Mr. WETMORE. I am directed by the Committee on the Library, to whom was referred the bill (S. 5269) to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln, late President of the United States, to report it favorably without amendment.

Mr. CULLOM. I ask unanimous consent for the present consideration of that bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to create a commission to be composed of the chairman of the Committee on the Library of the Senate, the chairman of the Committee on the Library of the House of Representatives, the Secretary of State, and the Secretary of War, to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln, late President of the United States, and appropriate \$25,000 to carry out the provisions of the act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. GALLINGER. Let us have the regular order, Mr. President.

#### BRIDGE ACROSS MANATEE RIVER, FLORIDA.

Mr. TALIAFERRO. I ask unanimous consent for the present consideration of the bill (S. 4768) to authorize the United States and West Indies Railroad and Steamship Company, of the State of Florida, to construct a bridge across the Manatee River in the State of Florida.

Mr. GALLINGER. Mr. President, I shall not object to the consideration of this bill, but after it has been considered I shall ask for the regular order.

The PRESIDENT pro tempore. The Senator from Florida

asks unanimous consent for the present consideration of the bill named by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported by the Committee on Commerce with amendments.

The first amendment of the Committee on Commerce was, in section 2, page 2, line 8, after the word "route," to insert:

Upon which also no higher charge shall be made for the transmission over the same of the mails and troops and munitions of war of the United States than the rate per mile paid for the transportation over the railroads or public highways leading to the said bridge.

In line 13, after the word "and," to insert "it;" and in line 14, after the words "United States," to insert:

And the United States shall have the right of way across said bridge and its approaches for postal telegraph and telephone purposes, and all telegraph and telephone companies shall have equal rights and privileges in crossing said bridge with their lines.

So as to make the section read:

SEC. 2. That any bridge built under this act and subject to its limitations shall be a lawful structure, and shall be recognized and known as post route, upon which also no higher charge shall be made for the transmission over the same of the mails and troops and munitions of war of the United States than the rate per mile paid for the transportation over the railroads or public highways leading to the said bridge; and it shall enjoy the same rights and privileges as other post roads in the United States; and the United States shall have the right of way across said bridge and its approaches for postal telegraph and telephone purposes, and all telegraph and telephone companies shall have equal rights and privileges in crossing said bridge with their lines.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 5, after the word "construction," to insert "or after completion;" so as to read:

And should any changes be made in the plans of said bridge during the progress of construction or after completion such changes shall be subject to the approval of the Secretary of War, and all changes in said bridge required by the Secretary of War at any time, or its entire removal, shall be at the expense of the corporation owning or operating said bridge.

The amendment was agreed to.

The next amendment was, on page 3, after line 10, to insert as a new section the following:

SEC. 4. That all railroad companies desiring the use of said bridge shall be entitled to equal rights and privileges in the passage of railroad trains over the same, and the approaches thereto, upon the payment of a reasonable compensation therefor, and in case the owner or owners of said bridge and the several railroad companies, or any one of them, desiring such use shall fail to agree upon the sum or sums to be paid, and upon the rules and conditions to which each shall conform in the use of said bridge, all matters at issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

The amendment was agreed to.

The next amendment was, on page 3, after line 21, to insert as a new section the following:

SEC. 5. That if the bridge built under authority of this act shall be built as a drawbridge, the draw shall be opened promptly upon reasonable signal for the passage of boats, and whatever kind of bridge is constructed, the owner or owners thereof shall maintain thereon, at their own expense, from sunset to sunrise, such lights or other signals as the Light-House Board shall prescribe.

The amendment was agreed to.

The next amendment was, on page 4, after line 3, to insert as a new section the following:

SEC. 6. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date hereof.

The amendment was agreed to.

The next amendment was, on page 4, after line 7, to insert as a new section the following:

SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### LONDON DOCK CHARGES.

Mr. NELSON. The printed copies of the hearings before the Committee on Commerce on the London dock charge bill are exhausted. I ask unanimous consent that the hearings may be reprinted as a Senate document, together with certain appendices which were omitted.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and the order is made.

#### CONSULS ACTING IN FIDUCIARY CAPACITY.

Mr. LODGE. I desire to call up the bill (S. 4762) to prevent any consular officer of the United States from accepting any appointment from any foreign state as administrator, guardian, or to any other office of trust, without first executing a bond, with security, to be approved by the Secretary of State.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.



The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

H. GLAFCKE.

Mr. WARREN. I ask unanimous consent for the immediate consideration of the bill (S. 3401) for the relief of H. Glafcke. It is a bill of only six lines, and there is no objection to it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to H. Glafcke \$110.39, being the balance due for necessary traveling expenses as deputy collector of internal revenue for the district of Colorado for the fiscal year ended June 30, 1900.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT KALAMAZOO, MICH.

Mr. BURROWS. I ask unanimous consent to call up from the Calendar the bill (S. 280) to provide for enlarging the public building at Kalamazoo, Mich.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with an amendment on page 2, line 3, before the word "dollars," to strike out "seventy-five" and insert "sixty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause the public building at Kalamazoo, in the State of Michigan, now occupied as a post-office and for other Government offices, to be enlarged so as to make said building suitable for the further and better accommodation of the post-office, the plans and specifications to be drawn, with respect to the present building, so as to furnish to the post-office more room and better accommodations. The plans, specifications, and full estimates for the addition, enlargement, and improvement of said building shall be previously made and approved according to law, and shall not cost to exceed the sum of \$80,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ESTATE OF ELI AYERS, DECEASED.

Mr. MONEY. I ask leave to call up the bill (S. 877) to quiet the titles of certain lands in the State of Mississippi, and for the relief of the estate of Eli Ayers, deceased.

Mr. PLATT of Connecticut. I will have to object to that this morning. The bill can not be considered under the five-minute rule.

Mr. MONEY. I move that the Senate proceed to the consideration of the bill.

The PRESIDENT pro tempore. The Senator from Mississippi moves that the Senate proceed to the consideration of the bill, notwithstanding the objection made.

Mr. PLATT of Connecticut. The motion is not debatable, I believe?

The PRESIDENT pro tempore. No; it is not. The question is on agreeing to the motion of the Senator from Mississippi to proceed to the consideration of the bill, notwithstanding the objection.

Mr. PLATT of Connecticut. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CULLOM. Mr. President, is it in order to present a conference report?

The PRESIDENT pro tempore. It is at any time except pending a roll call.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. CULLOM submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10847) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1903, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 20, 29, 30, 35, 36, 37, 38, 41, 42, 49, 50, 55, 56, 57, 60, 61, 67, 68, 78, 80, 83, 85, 95, 98, 105, 106, 108, 109, 124, 125, 130, 131, 139, 147, 148, 163, 174, 175, 177, 178, 180, 199, 200, 203, and 205.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 25, 26, 31, 32, 33, 34, 39, 40, 43, 47, 51, 52, 59, 62, 63, 64, 65, 69, 70, 71, 72, 73, 74, 75, 76, 77, 81, 82, 84, 85, 86, 87, 88, 89, 93, 94, 96, 99, 100, 101, 102, 103, 104, 107, 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 126, 127, 128, 129, 132, 133, 135, 138, 140, 141, 142, 143, 144, 146, 150, 151, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 176, 181, 187, 188, 189, 190, 191, 192, 193, 195, 197, 198, 201, 204, 207, 210, 211, 212, and 214, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$75,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: On page 13 of the bill, in line 2, after the word "each," insert the words "additional laborer in the bathroom, \$720;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$91,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$720;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$20,200;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: On page 15 of the bill, in line 3, after the word "Judiciary," insert the word "Library;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$79,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,400;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$6,200;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$1,200;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,300;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with amendments, as follows: In lieu of the amended paragraph insert the following:

"To enable the Library of Congress to be kept open for reference use from 2 until 10 o'clock p. m. on Sundays, including the extra services of employees and the services of additional employees under the Librarian, \$10,000, or so much thereof as may be necessary."

And on page 23 of the bill, after line 3, insert as a separate paragraph the following:

"To enable the Librarian of Congress to employ during the last quarter of the fiscal year 1902 such of the additional assistants in the copyright office as are herein provided for in the Library of Congress for the fiscal year 1903, and at the rates of compensation prescribed, \$2,410, or so much thereof as may be necessary."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$80,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$91,300;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$159,450;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$72,580;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: Insert before the matter inserted by said amendment the following: "title and contract clerk, \$2,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment, and on page 51 of the bill, in line 4, strike out the words "two clerks of class four;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$40,200;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$60,350;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: Strike out the word "twenty" inserted by said amendment, and on page 60 of the bill, after the word "of," in line 20, strike out all down to and including the word "ninety-eight" in line 23 and insert in lieu thereof the following:

"twenty additional internal-revenue agents to be appointed and employed by the Commissioner of Internal Revenue, and these 20 agents to be in lieu of the agents provided for and appointed under the provisions of sections 3 and 47 of the act of June 13, 1898, providing for war-revenue expenditures and other purposes, and these to be the only internal-revenue agents employed in addition to those provided for in section 3152 of the Revised Statutes. The existing provisions of law with regard to internal-revenue agents shall apply to the duties, compensation, and expenses of these 20 additional agents;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: On page 84 of the bill, in line 18, strike out the words "(Lemon Building);" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with amendments as follows: In lieu of the sum proposed in said amendment restore the amount proposed to be stricken out, and on page 88 of the bill, in line 22, after the word "dollars," insert: "one clerk of class 4, from May 1, 1902, \$2,100;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$51,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with amendments as follows: Restore the matter stricken out by said amendment, and on page 98 of the bill, in line 16, after the word "Interior," insert the following: "from persons not now or heretofore employed in the Pension Office and without compliance with the conditions prescribed by the act entitled 'An act to regulate and improve the civil service,' approved January 16, 1883;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$317,600;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the

Senate numbered 152, and agree to the same with an amendment as follows: At the end of said amendment strike out the semicolon and insert in lieu thereof a comma; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 179, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,250;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 182, and agree to the same with amendments as follows: In lieu of the number proposed insert "thirty-one;" and on page 120 of the bill, in line 25, strike out the word "twenty-one" and insert in lieu thereof the word "twenty-four;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 183, and agree to the same with an amendment as follows: In lieu of the number proposed insert "forty-seven;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 184, and agree to the same with an amendment as follows: In lieu of the number proposed insert "forty-seven;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with amendments as follows: In lieu of the number proposed insert "thirty-four;" and on page 121 of the bill, in line 3, strike out the word "eight" and insert in lieu thereof the following: "two messengers; six;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$297,590;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 194, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 196, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$18,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 202, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$179,080;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 206, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "two special agents, at \$1,800 each;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 208, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$106,380;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 209, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$55,140;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 213, and agree to the same with amendments, as follows: Add at the end of the matter inserted by said amendment the following:

"And the several appropriations herein made for such clerks and employees under the several departments and offices shall be available for payment of the salaries of all clerks and employees transferred to the classified service under this provision. And the appropriations made for such temporary clerks and employees for the fiscal year 1902 shall also be available for payment of the salaries of all such clerks and employees herein transferred for the balance of the current fiscal year."

And on page 79 of the bill, in line 4, strike out all after the word "dollars" down to and including the word "appropriations," in line 9.

And the Senate agree to the same.

S. M. CULLOM,  
F. E. WARREN,  
H. M. TELLER,

*Managers on the part of the Senate.*

HENRY H. BINGHAM,  
J. A. HEMENWAY,  
L. T. LIVINGSTON,

*Managers on the part of the House.*

The report was agreed to.

Mr. CULLOM. I ask permission to have inserted in the RECORD a brief statement showing the result of the conference.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The statement submitted by the Senator from Illinois will be printed in the RECORD.

The statement is as follows:

#### Legislative, 1903.

Amount of bill as passed House.....	\$25,174,069.90
Net increase made by Senate.....	315,875.60

Amount of bill as passed Senate.....	25,490,545.50
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Of the increase made by the Senate of \$315,875.60, the House has agreed to \$223,711.00, and the Senate has receded from \$92,164, making the total of bill as agreed to in conference \$25,398,381.50.

#### ESTATE OF ELI AYERS, DECEASED.

The PRESIDING OFFICER. The question recurs on agreeing to the motion of the Senator from Mississippi [Mr. MONEY] to proceed to the consideration of the bill (S. 877) to quiet the titles of certain lands in the State of Mississippi, and for the relief of the estate of Eli Ayers, deceased, on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. HANSBROUGH (when his name was called). I have a pair with the senior Senator from Virginia [Mr. DANIEL]. I will transfer that pair to the Senator from Rhode Island [Mr. ALDRICH] and vote "nay."

Mr. McLAURIN of Mississippi (when his name was called). I have a pair with the Senator from Washington [Mr. FOSTER]. If he were present I should vote "yea."

Mr. MALLORY (when his name was called). I have a pair

with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. McMILLAN. I am paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. MITCHELL. I have a general pair with the junior Senator from Idaho [Mr. DUBOIS], who has been detained from the Senate by sickness in his family. I therefore withhold my vote.

Mr. BERRY. I am paired with the Senator from Maryland [Mr. McCOMAS]. Unless he has voted I withhold my vote.

The PRESIDING OFFICER. He has not voted, the Chair is informed.

Mr. COCKRELL. I have a general pair with the senior Senator from Iowa [Mr. ALLISON]. I do not know how he would vote if present.

Mr. PLATT of New York (after having voted in the negative). Has the senior Senator from Idaho [Mr. HEITFIELD] voted?

The PRESIDING OFFICER. The Chair is informed that the senior Senator from Idaho has not voted.

Mr. PLATT of New York. Then I withdraw my vote.

The result was announced—yeas 24, nays 14; as follows:

#### YEAS—24.

Bacon,	Gallinger,	Nelson,	Scott,
Bate,	Gibson,	Patterson,	Simmons,
Burton,	Harris,	Pettus,	Stewart,
Carmack,	Martin,	Quarles,	Taliaferro,
Clay,	Money,	Quay,	Teller,
Dolliver,	Morgan,	Rawlins,	Vest.

#### NAYS—14.

Bard,	Hansbrough,	Lodge,	Simon,
Clapp,	Kean,	McMillan,	Wetmore.
Clark, Wyo.	Kearns,	Perkins,	
Deboe,	Kittredge,	Platt, Conn.	

#### NOT VOTING—50.

Aldrich,	Depew,	Hanna,	Millard,
Allison,	Dietrich,	Hawley,	Mitchell,
Bailey,	Dillingham,	Heitfeld,	Penrose,
Berry,	Dryden,	Hoar,	Platt, N. Y.
Beveridge,	Dubois,	Jones, Ark.	Pritchard,
Blackburn,	Elkins,	Jones, Nev.	Proctor,
Burnham,	Fairbanks,	McComas,	Spooner,
Burrows,	Foraker,	McCumber,	Tillman,
Clark, Mont.	Foster, La.	McEnery,	Turner,
Cockrell,	Foster, Wash.	McLaurin, Miss.	Warren,
Culberson,	Frye,	McLaurin, S. C.	Wellington.
Cullom,	Gamble,	Mallory,	
Daniel,	Hale,	Mason,	

The PRESIDING OFFICER. No quorum has voted. The Secretary will call the roll.

Mr. MONEY. Mr. President, the morning hour will be out before the roll can be called, and—

Mr. COCKRELL. It has to be called.

Mr. MONEY. I do not care to—

Mr. COCKRELL. The roll will have to be called.

Mr. LODGE. There is nothing in order but a call of the roll.

The PRESIDING OFFICER. The Chair will state to the Senator from Mississippi that the roll call has shown that there is not a quorum present, and therefore no business is in order until a quorum appears.

Mr. MONEY. I rise to a parliamentary inquiry.

Mr. LODGE. Until a quorum is developed surely nothing is in order.

Mr. MONEY. I rise to a parliamentary inquiry, and it is directed to the President of the Senate, and not to any member of the Senate. I want to know from the President of the Senate whether I am at liberty to withdraw the motion to proceed to the consideration of the bill?

The PRESIDING OFFICER. The Chair understands that no business can be transacted until a quorum appears.

Mr. MONEY. All right.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Bacon,	Frye,	McMillan,	Quay,
Bard,	Gallinger,	Mallory,	Rawlins,
Bate,	Gibson,	Martin,	Scott,
Berry,	Hansbrough,	Millard,	Simmons,
Blackburn,	Hawley,	Mitchell,	Simon,
Burrows,	Heitfeld,	Money,	Spooner,
Burton,	Jones, Ark.	Morgan,	Taliaferro,
Carmack,	Kean,	Nelson,	Teller,
Clapp,	Kearns,	Patterson,	Turner,
Clark, Wyo.	Kittredge,	Perkins,	Vest,
Clay,	Lodge,	Pettus,	Warren,
Cockrell,	McComas,	Platt, Conn.	Wetmore.
Dillingham,	McCumber,	Platt, N. Y.	
Dolliver,	McLaurin, Miss.	Quarles,	

The PRESIDING OFFICER. Fifty-four Senators having answered to their names, a quorum is present. The question before the Senate is—

Mr. MONEY. It is almost 2 o'clock now, and it will be useless to take the bill up to-day. I withdraw the motion, if that is the pleasure of the Senate.



The PRESIDING OFFICER. The Senator from Mississippi asks unanimous consent that he may have leave to withdraw the motion to proceed to the consideration of the bill. Is there any objection? The Chair hears none. Unanimous consent has been granted to the Senator from Mississippi for the withdrawal of the motion.

#### COURTS IN SOUTH DAKOTA.

Mr. KITTREDGE. I ask unanimous consent for the consideration of the bill (S. 5105) fixing the terms of the circuit and district courts in and for the district of South Dakota, and for other purposes.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### CIVIL GOVERNMENT OF THE PHILIPPINE ISLANDS.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair will lay before the Senate the unfinished business, which is Senate bill 2295.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes.

The PRESIDING OFFICER. The bill will be read. Is it the desire of the Senator from Massachusetts that the amendments of the committee shall be acted upon as they are reached?

Mr. LODGE. Certainly. It was agreed yesterday that the bill should be read by paragraphs for amendment, and that the committee amendments should be considered as they were reached.

The Secretary proceeded to read the bill.

The first amendment of the Committee on the Philippines was in section 1, page 2, after line 12, to strike out "said Commission may be increased to not exceeding eleven members, and the future;" in line 14, before the word "appointments," to insert "future," and in line 15, before the word "members," to strike out "and;" so as to make the paragraph read:

Future appointments of civil governor, vice-governor, members of the Commission, and heads of executive departments shall be made by the President, by and with the advice and consent of the Senate.

Mr. RAWLINS. What was the proposition of the Senator from Massachusetts?

The PRESIDING OFFICER. That the Secretary proceed to read the bill, and that the Senate consider the amendments proposed by the committee as they are reached in their order in the reading.

Mr. LODGE. That was agreed to yesterday.

The PRESIDING OFFICER. The Chair is informed that that was the agreement which was entered into yesterday.

Mr. RAWLINS. I was not aware of the agreement.

Mr. LODGE. I simply made the usual request, which was agreed to, that the bill should be read by paragraphs for amendment, the amendments of the committee to be considered first.

Mr. RAWLINS. That is all right.

Mr. LODGE. That was agreed to yesterday.

Mr. PETTUS. I hope that understanding does not mean that it is final action on the amendments.

Mr. LODGE. Of course not. It is the usual practice on appropriation bills. It cuts off absolutely nothing.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment of the Committee on the Philippines was, in section 2, page 2, line 21, after the word "matters," to strike out "except the admiralty jurisdiction of the supreme court and courts of first instance;" in line 24, after the word "law," to strike out ". Sec. 3. That" and insert "; and;" and on page 3, line 5, before the word "Commission," to insert "Philippine," and in the same line, after the word "Commission," to insert:

Provided, That the admiralty jurisdiction of the supreme court and courts of first instance shall not be changed except by act of Congress.

So as to make the section read:

SEC. 2. That the supreme court, courts of first instance, and municipal courts of said islands shall possess and exercise jurisdiction as heretofore provided by said Commission, subject in all matters to such alteration and amendment as may be hereafter enacted by the Commission or otherwise enacted by law; and the chief justice and associate justices of the supreme court shall hereafter be appointed by the President, by and with the advice and consent of the Senate. The judges of the court of first instance shall be appointed by the civil governor, by and with the advice and consent of the Philippine Commission: Provided, That the admiralty jurisdiction of the supreme court and courts of first instance shall not be changed except by act of Congress.

The amendment was agreed to.

The next amendment was in section 3, page 3, line 9, before the word "taken," to insert the word "heretofore;" so as to read:

SEC. 3. That the action of the President of the United States heretofore taken by virtue of the authority vested in him as Commander in Chief of the Army and Navy, as set forth in his order of July 12, 1898, etc.

The amendment was agreed to.

The next amendment was, on page 3, after line 20, to insert:

SEC. 4. That all inhabitants of the Philippine Islands continuing to reside therein who were Spanish subjects on the 11th day of April, 1899, and then resided in the Philippine Islands, and their children born subsequent thereto, shall be deemed and held to be citizens of the Philippine Islands and as such entitled to the protection of the United States, except such as shall have elected to preserve their allegiance to the Crown of Spain in accordance with the provisions of the treaty of peace between the United States and Spain, entered into on the 11th day of April, 1899.

The amendment was agreed to.

The next amendment was to insert the following as an additional section:

SEC. 5. That whenever the existing insurrection in the Philippine Islands shall have ceased and a condition of general and complete peace shall have been established therein, and the fact shall be certified to the President by the Philippine Commission, the President, upon being satisfied thereof, shall order a census of the Philippine Islands to be taken; such census in its inquiries relating to the population shall take and make, so far as practicable, full report for all the inhabitants, of name, age, sex, race, or tribe, whether native or foreign born, literacy in Spanish, native dialect or language, or in English, school attendance, and ownership of homes, and such other information separately for each island, each province, and municipality, or other civil division needful to inform the President and Congress concerning the capacity, fitness, and readiness of all the people of the Philippine Islands and of particular islands, provinces, and municipalities, and other civil divisions for the establishment and maintenance in the Philippine Islands or certain of them of a permanent popular representative government.

Mr. RAWLINS. I propose the amendment which I send to the desk to the amendment of the committee.

The PRESIDING OFFICER. The Senator from Utah proposes an amendment to the amendment. The Chair will state to the Senator from Utah that, as he understands it, unanimous consent was given yesterday to proceed with the consideration of the committee amendments first.

Mr. RAWLINS. But this is an amendment to an amendment of the committee.

Mr. LODGE. The Senator from Utah is quite right. He is offering an amendment to the amendment of the committee, I understand.

Mr. RAWLINS. It is an amendment to the amendment of the committee.

Mr. LODGE. Certainly. I suggest to the Senator, as the Senate is very thin at this moment, that we pass over these three amendments for the present and come back to them, if that course is agreeable to him.

Mr. RAWLINS. Very well. Let my amendment be read.

Mr. LODGE. Yes; let it be read.

The PRESIDING OFFICER. The amendment to the amendment will be read.

The SECRETARY. It is proposed to amend section 5 of the bill by inserting after the word "homes," in line 18, the following words:

Also the number of deaths which have occurred in said islands since the 1st day of January, 1899, and the causes thereof, and the character and value of property destroyed since said date.

The PRESIDING OFFICER. At the suggestion of the Senator from Massachusetts, the pending amendment of the committee will be temporarily passed over.

Mr. LODGE. Sections 5, 6, and 7. They are all one amendment really. I ask that they be passed over for the present.

The PRESIDING OFFICER. The amendments will be temporarily passed over.

The remaining part of the amendment passed over is to insert as additional sections the following:

SEC. 6. That after the report of such census the Philippine Commission shall fully report to the President and to Congress their recommendations based on such census and upon the operation of the local governments hereinafter provided for, whether or not all or certain of the Philippine Islands are capable, fit, and ready for the establishment of a permanent popular representative government.

SEC. 7. That the Philippine Commission meantime are hereby authorized and directed, in their discretion, to continue to establish additional municipal and provincial governments in the Philippine Islands with popular representative government so far and so fast as communities in such civil divisions are capable, fit, and ready for the same, the qualification of electors in elections in municipalities and provinces to be the same as now provided by law for electors in municipal elections; and said Philippine Commission whenever they find other male inhabitants of lawful age in such municipalities and provinces capable, fit, and ready for such extension shall include the same among the electors, with the purpose of gradually extending to municipalities and provinces permanent popular representative government.

The next amendment of the Committee on the Philippines was, in section 8, page 5, line 25, after the word "as," to insert "and whenever;" and on page 6, line 5, after the word "may," to strike out "think" and insert "deem;" so as to make the section read:

SEC. 8. That the President of the United States, during such time as and whenever the sovereignty and authority of the United States encounter armed resistance in the Philippine Archipelago, and until otherwise provided by Congress, shall continue to regulate and control commercial intercourse with and within said archipelago by such general rules and regulations as he,

in his discretion, may deem most conducive to the public interests and the general welfare.

The amendment was agreed to.

The next amendment was, in section 9, page 6, line 11, after the word "thereto," to strike out "wharves, piers, warehouses, storehouses;" in line 12, before the word "light-houses," to insert "bonded warehouses;" and in line 14, after the word "including," to insert "bonded;" so as to make the section read:

SEC. 9. That the government of the Philippines is hereby authorized to provide for the needs of commerce by improving the harbors and navigable waters of the archipelago and to construct and maintain in said navigable waters and upon the shore adjacent thereto bonded warehouses, light-houses, signal stations, buoys, and like instruments of commerce, and to adopt and enforce regulations in regard thereto, including bonded warehouses wherein articles not intended to be imported into said islands nor mingled with the property therein, but brought into a port of the Philippines for reshipment to another country, may be deposited in bond and reshipped to another country without the payment of customs duties or charges.

The amendment was agreed to.

The next amendment was, in section 10, after the word "property," to insert "and rights;" in line 23, after the word "ninety-eight," to strike out—

In any lands devoted to public use, bridges, structures, water powers, highways, unnavigable streams, the beds of rivers, subterranean waters, mines, or minerals under the surface of private lands, and all property which, at the date of the treaty, belonged under the laws of Spain then in force to the various harbor works boards of the Philippine Islands, and all the harbor shores, docks, slips, and reclaimed lands, but not including harbor areas or navigable waters, except as hereinafter provided,

and on page 7, line 8, after the word "islands," to insert "except as hereinafter provided;" so as to make the section read:

SEC. 10. That all the property and rights which may have been acquired in the Philippine Islands by the United States under the treaty of peace with Spain, 1898, are hereby placed under the control of the government of the Philippine Islands to be administered for the benefit of the inhabitants of the islands, except as hereinafter provided.

Mr. RAWLINS. I suggest that we pass over the first amendment to section 10.

The PRESIDING OFFICER. At the request of the Senator from Utah section 10 will be temporarily passed over.

The next amendment of the Committee on the Philippines was, in section 12, page 8, line 1, after the word "lands," to insert "not exceeding 160 acres, or its equivalent in hectares;" in line 7, after the word "title," to strike out "The" and insert "and the;" in line 10, after the word "Islands," to strike out "or his heirs or assigns;" and in line 12, before the word "which," to insert "or its equivalent in hectares;" so as to make the section read:

SEC. 12. That the government of the Philippine Islands is hereby authorized and empowered to enact rules and regulations and to prescribe terms and conditions to enable persons to perfect their title to public lands not exceeding 160 acres, or its equivalent in hectares, who, prior to the transfer of sovereignty from Spain to the United States, had fulfilled all or some of the conditions required by the Spanish laws and royal decrees of the Kingdom of Spain for the acquisition of legal title thereto yet failed to secure conveyance of title; and the President of the United States is authorized, upon the recommendation of the Philippine Commission, to issue patents, without compensation, to any native of the Philippine Islands, conveying title to any tract of land not more than 160 acres, or its equivalent in hectares, which had been actually occupied by such native or his ancestors prior to the 13th of August, 1898.

The amendment was agreed to.

The next amendment was, in section (10) 13, page 8, line 15, after the word "That," to insert "pending the preparation and until the adoption of rules and regulations as provided in section 8;" in line 20, after the word "than," to strike out "ninety-nine" and insert "five;" and in line 24, after the word "acres," to insert "or its equivalent in hectares;" so as to make the section read:

SEC. 13. That pending the preparation and until the adoption of rules and regulations as provided in section 8 the government of the Philippines is hereby authorized and empowered, on such terms as it may prescribe, to lease, let, and demise to actual occupants and settlers and others, for a term of not more than five years, such parts and portions of the public domain other than timber and mineral lands of the United States in the Philippine Islands as it may deem wise, not exceeding 160 acres, or its equivalent in hectares, to any one person, nor more than 5,000 acres to any corporation or association of persons.

The amendment was agreed to.

The next amendment was, in section (11) 14, page 9, line 4, after the word "section," to insert "thirteen;" and in line 13, after the word "acres," to insert "or its equivalent in hectares;" and in line 18, after the word "first," to strike out "granted and," so as to make the section read:

SEC. 14. That in leasing, demising, or letting any part of the public domain, under the provisions of section 13, preference in all cases shall be given to actual occupants and settlers; and public lands of the United States in the actual possession or occupancy of any native of the Philippine Islands shall not be leased, let, or demised by said government to any other person without the consent thereto of said prior occupant or settler first had and obtained: *Provided*, That the prior right hereby secured to an occupant of land, who can show no other proof of title than possession, shall not apply to more than 160 acres or its equivalent in hectares in any one tract.

No lease or contract of letting made by virtue of this act shall be sold, assigned, or otherwise disposed of, nor shall the property leased be sublet without the consent of the Philippine government first given.

The amendment was agreed to.

The next amendment was, in section [12] 15, page 9, line 20, after the word "leased," to strike out "let;" in line 21, after the word sections," to insert "12, 13, and 14;" on page 10, line 1, after the word "moneys," to strike out "derived or;" in the same line, after the word "obtained," to strike out "by virtue of" and insert "from;" in line 2, before the word "of," to strike out "or contract of letting;" and in the same line, after the word "of," to strike out "any part or" and insert "any;" so as to make the section read:

SEC. 15. That timber, trees, forests, and forest products on lands leased or demised by the Philippine government under sections 12, 13, and 14 shall not be cut, destroyed, removed, or appropriated except by special permission of said government and under such regulations as it may prescribe.

All moneys obtained from any lease of any portion of the public domain by the government of the Philippine Islands shall be covered into the insular treasury and be subject to appropriation for insular purposes according to law.

The amendment was agreed to.

Mr. HOAR. If I may interrupt the reading of the bill for a moment, I desire to ask my colleague, so that I may understand the bill as it goes on, whether the phrases "the government of the Philippines" and "the government of the Philippine Islands," where they occur, mean the government that is contemplated in the bill to be hereafter established, or does it include the present authorities in the Philippines?

Mr. LODGE. It contemplates simply the existing government.

Mr. HOAR. So that all these things provided to be done may be done by that government the day after the passage of the bill?

Mr. LODGE. Certainly.

The reading of the bill was resumed. The next amendment of the Committee on the Philippines was, in section (13) 16, page 10, line 11, after the word "regulations," to strike out "now;" so as to make the section read:

SEC. 16. That no timber lands forming part of the public domain shall be sold or leased by the government of the Philippines, but said government shall have the right, and is hereby empowered, to issue licenses to cut timber under the forestry regulations in force in the Philippine Islands, and may sell or lease land to any person or persons holding such licenses to cut timber sufficient for a mill site, and may grant rights of way to enable persons holding licenses to cut timber to get access to the lands where timber cutting is authorized.

The amendment was agreed to.

Mr. LODGE. The next amendment proposed by the committee is to strike out sections 16 to 49, inclusive, beginning with line 4, on page 11, and ending with line 10, on page 34, in regard to the mining laws. I ask unanimous consent that the reading of the original language, which the committee reported in favor of striking out, be dispensed with, and that simply the amendment reported by the committee, proposing to insert new sections, be read.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

Mr. RAWLINS. I think the entire text of the bill had better be read.

The PRESIDING OFFICER. The Senator from Utah [Mr. RAWLINS] insists that the sections proposed to be stricken out shall be read.

Mr. LODGE. Of course, if the Senator wants to have read the sections which the committee propose to strike out, that is all right.

Mr. RAWLINS. I think they ought to be read.

Mr. LODGE. I asked to have read simply the amendment prepared by the committee, inserting new sections in lieu of those stricken out. If the Senator wants to have read the old sections, which are proposed to be stricken out, of course, I have no objection.

Mr. RAWLINS. They may just as well be all read.

Mr. LODGE. Very well. I have no objection.

The PRESIDENT pro tempore. The Secretary will proceed with the reading of the bill.

The reading of the bill was resumed. The next amendment of the Committee on the Philippines was to strike out sections 16 to 49, inclusive, beginning in line 4, on page 11, and ending in line 10, on page 34, as follows:

SEC. 16. That mining claims upon veins or lodes of quartz or other rock in place-bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits, located after the passage of this act, whether located by one or more persons, may equal but shall not exceed 1,500 feet in length along the vein or lode, but no location of a mining claim shall be made until the discovery of the vein or lode within the limits of the claim located. No claim shall extend more than 30 feet on each side of the middle of the vein at the surface, nor shall any claim be limited by any mining regulation to less than 25 feet on each side of the middle of the vein at the surface, except where adverse rights existing on the date of the passage of this act render such limitation necessary. The end lines of each claim shall be parallel to each other.

SEC. 17. That proof of citizenship under this act may consist, in the case of an individual, of his own affidavit thereof; in the case of an association of persons unincorporated, of the affidavit of their authorized agent, made on his own knowledge or upon information and belief; and in the case of a corporation organized under the laws of the United States, or of any State or Territory thereof, or of the Philippine Islands, by the filing of a certified copy of their charter or certificate of incorporation.



SEC. 18. That the locators of all mining locations heretofore made or which shall hereafter be made on any mineral vein, lode, or ledge situated on the public domain, their heirs and assigns, where no adverse claim exists at the date of the passage of this act, so long as they comply with the laws of the United States, and with the laws and local regulations of the Philippine Islands not in conflict with the laws of the United States governing their possessory title, shall have the exclusive right of possession and enjoyment of all the surface included within the lines of their locations, and all veins, lodes, or ledges throughout their entire depth the top or apex of which lies inside of such surface lines extended downward vertically, although such veins, lodes, or ledges may so far depart from a perpendicular in their course downward as to extend outside the vertical side lines of such surface locations. But their right of possession to such outside parts of such veins or ledges shall be confined to such portions thereof as lie between vertical planes drawn downward as above described, through the end lines of their locations, so continued in their own direction that such planes will intersect such exterior parts of such veins or ledges: *Provided*, That in working a blanket ledge the locator or possessor of a mining claim shall be restricted to that portion of such ledge which lies inside of the surface lines of the claim extended downward vertically. And nothing in this section shall authorize the locator or possessor of a vein or lode which extends in its downward course beyond the vertical lines of his claim to enter upon the surface of a claim owned and possessed by another.

SEC. 19. That where a tunnel is run for the development of a vein or lode or for the discovery of mines the owners of such tunnel shall have the right of possession of all veins or lodes within 3,000 feet from the face of such tunnel on the line thereof, not previously known to exist, discovered in such tunnel, to the same extent as if discovered from the surface; and locations on the line of such tunnel of veins or lodes not appearing on the surface, made by other parties after the commencement of the tunnel and while the same is being prosecuted with reasonable diligence, shall be invalid; but failure to prosecute the work on the tunnel for six months shall be considered as an abandonment of the right to all undiscovered veins on the line of such tunnel.

SEC. 20. That the United States Philippine Commission or its successors may make regulations, not in conflict with the provisions of this act, governing the location, manner of recording, and amount of work necessary to hold possession of a mining claim, subject to the following requirements: The location must be distinctly marked on the ground, so that its boundaries can be readily traced. All records of mining claims hereafter made shall contain the name or names of locators, the date of location, and such a description of the claim or claims located, by reference to some natural object or permanent monument, as will identify the claim. On each claim located after the passage of this act, and until a patent has been issued therefor, not less than \$100 worth of labor shall be performed or improvements made during each year: *Provided*, That where a person or company has or may run a tunnel for the purpose of developing a lode or lodes owned by said person or company the money so expended in said tunnel shall be taken and considered as expended on said lode or lodes; and such person or company shall not be required to perform work on the surface of said lode or lodes in order to hold the same.

Where such claims are held in common such expenditure may be made upon any one claim; and upon a failure to comply with these conditions the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made, provided that the original locators, their heirs, assigns, or legal representatives have not resumed work upon the claim after failure and before such location. Upon the failure of any one of several coowners to contribute his proportion of the expenditures required thereby, the coowners who have performed the labor or made the improvements may, at the expiration of the year, give such delinquent coowner personal notice in writing, or notice by publication in the newspaper published nearest the claim, and in two newspapers published at Manila, one in the English language and the other in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands, for at least once a week for ninety days, and if, at the expiration of ninety days after such notice in writing or by publication such delinquent shall fail or refuse to contribute his proportion of the expenditure required by this section his interest in the claim shall become the property of his coowners who have made the required expenditures. The period within which the work required to be done annually on all unpatented mineral claims shall commence on the 1st day of January succeeding the date of location of such claim.

SEC. 21. That a patent for any land claimed and located for valuable mineral deposits may be obtained in the following manner: Any person, association, or corporation authorized to locate a claim under this act, having claimed and located a piece of land for such purposes, who has or have complied with the terms of this act, may file in the office of the provincial secretary of the province wherein the land claimed is located, or, if there is no provincial secretary, in the office of the adjutant-general of the commander of the military department wherein such land is located, an application for a patent, under oath, showing such compliance, together with a plat and field notes of the claim or claims in common, made by or under the direction of the chief of the Philippine insular bureau of public lands, showing accurately the boundaries of the claim or claims, which shall be distinctly marked by monuments on the ground, and shall post a copy of such plat, together with a notice of such application for a patent, in a conspicuous place on the land embraced in such plat previous to the filing of the application for a patent, and shall file an affidavit of at least two persons that such notice has been duly posted, and shall file a copy of the notice in such office, and shall thereupon be entitled to a patent for the land, in the manner following: The provincial secretary or adjutant-general, upon the filing of such application, plat, field notes, notices, and affidavits, shall publish a notice that such an application has been made, once a week for the period of sixty days, in a newspaper to be by him designated as nearest to such claim and in two newspapers published at Manila, one in the English language and one in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands, and he shall also post such notice in his office for the same period.

The claimant at the time of filing this application, or at any time thereafter within the sixty days of publication, shall file with the provincial secretary or adjutant-general a certificate of the chief of the Philippine insular bureau of public lands that \$500 worth of labor has been expended or improvements made upon the claim by himself or grantors; that the plat is correct, with such further description by such reference to natural objects or permanent monuments as shall identify the claim, and furnish an accurate description to be incorporated in the patent. At the expiration of the sixty days of publication the claimant shall file his affidavit, showing that the plat and notice have been posted in a conspicuous place on the claim during such period of publication. If no adverse claim shall have been filed with the provincial secretary or adjutant-general at the expiration of the sixty days of publication, it shall be assumed that the applicant is entitled to a patent upon the payment to the provincial treasurer or the collector of internal revenue of \$5 per acre and that no adverse claim exists, and thereafter no objection from third parties to the issuance of a patent shall be heard, except it be shown that the applicant has failed to comply with the terms of this act: *Provided*, That where the claimant for a patent is not a resident of or within

the province or military department wherein the vein, ledge, or deposit sought to be patented is located, the application for patent and the affidavits required to be made in this section by the claimant for such patent may be made by his, her, or its authorized agent where said agent is conversant with the facts sought to be established by said affidavits.

SEC. 22. That applicants for mineral patents, if residing beyond the limits of the province or military department wherein the claim is situated, may make any oath or affidavit required for proof of citizenship before the clerk of any court of record or before any notary public of any province or military department of the Philippine Islands or any other official authorized by law to administer oaths.

SEC. 23. That where an adverse claim is filed during the period of publication it shall be upon oath of the person or persons making the same, and shall show the nature, boundaries, and extent of such adverse claim, and all proceedings, except the publication of notice and making and filing of the affidavits thereof, shall be stayed until the controversy shall have been settled or decided by a court of competent jurisdiction, or the adverse claim waived. It shall be the duty of the adverse claimant, within thirty days after filing his claim, to commence proceedings in a court of competent jurisdiction to determine the question of the right of possession, and prosecute the same with reasonable diligence to final judgment; and a failure so to do shall be a waiver of his adverse claim.

After such judgment shall have been rendered the party entitled to the possession of the claim, or any portion thereof, may, without giving further notice, file a certified copy of the judgment roll with the provincial secretary or adjutant-general of the commander of the military department, as the case may be, together with the certificate of the chief of the Philippine insular bureau of public lands that the requisite amount of labor has been expended or improvements made thereon, and the description required in other cases, and shall pay to the provincial treasurer or the collector of internal revenue of the province in which the claim is situated, as the case may be, \$5 per acre for his claim, together with the proper fees, whereupon the whole proceedings and the judgment roll shall be certified by the provincial secretary or adjutant-general of the commander of the military department, as the case may be, to the secretary of the interior of the Philippine Islands, and a patent shall issue thereon for the claim, or such portion thereof as the applicant shall appear, from the decision of the court, rightly to possess. The adverse claim may be verified by the oath of any duly authorized agent or attorney in fact of the adverse claimant cognizant of the facts stated; and the adverse claimant, if residing or at the time being beyond the limits of the province or military department wherein the claim is situated, may make oath to the adverse claim before the clerk of any court of record or any notary public of any province or military department of the Philippine Islands, or any other officer authorized to administer oaths where the adverse claimant may then be.

If it appears from the decision of the court that several parties are entitled to separate and different portions of the claim, each party may pay for his portion of the claim, with the proper fees, and file the certificate and description by the chief of the Philippine insular bureau of public lands, whereupon the provincial secretary or adjutant-general of the commander of the military department, as the case may be, shall certify the proceedings and judgment roll to the secretary of the interior for the Philippine Islands, as in the preceding case, and patents shall issue to the several parties according to their respective rights. If in any action brought pursuant to this section title to the ground in controversy shall not be established by either party, the court shall so find, and judgment shall be entered accordingly. In such case costs shall not be allowed to either party, and the claimant shall not proceed in the office of the provincial secretary or adjutant-general of the commander of the military department, as the case may be, or be entitled to a patent for the ground in controversy until he shall have perfected his title. Nothing herein contained shall be construed to prevent the alienation of a title conveyed by a patent for a mining claim to any person whatever.

SEC. 24. That the description of vein or lode claims upon unsurveyed lands shall designate the location of the claim with reference to the lines of the public surveys, but need not conform therewith; but where a patent shall be issued for claims upon unsurveyed lands the chief of the Philippine insular bureau of public lands in extending the surveys shall adjust the same to the boundaries of such patented claim according to the plat or description thereof, but so as in no case to interfere with or change the location of any such patented claim.

SEC. 25. That claims usually called "placers," including all forms of deposits, excepting veins of quartz or other rock in place, shall be subject to entry and patent, under like circumstances and conditions and upon similar proceedings as are provided for vein or lode claims; but where the lands have been previously surveyed by governmental authority the entry in its exterior limits shall conform to the legal subdivisions of the public lands.

SEC. 26. That any person authorized to enter lands under this act may enter and obtain patent to lands that are chiefly valuable for building stone under the provisions of this act relative to placer mineral claims.

SEC. 27. That any person authorized to enter lands under this act may enter and obtain patent to lands containing petroleum or other mineral oils and chiefly valuable therefor under the provisions of this act relative to placer mineral claims.

SEC. 28. That no location of a placer claim shall exceed 160 acres for any association of persons, irrespective of the number of persons composing such association, and no such location shall include more than 20 acres for an individual claimant. Such locations shall conform to the laws of the United States Philippine Commission, or its successors, with reference to public surveys, and nothing in this section contained shall defeat or impair any bona fide ownership of land for agricultural purposes or authorize the sale of the improvements of any bona fide settler to any purchaser.

SEC. 29. That where placer claims are upon surveyed lands and conform to legal subdivisions, no further survey or plat shall be required, and all placer mining claims located after the date of passage of this act shall conform as nearly as practicable with the Philippine system of public land surveys and the regular subdivisions of such surveys; but where placer claims can not be conformed to legal subdivisions, survey and plat shall be made as on surveyed lands; and where by the segregation of mineral lands in any legal subdivision a quantity of agricultural land less than 40 acres shall remain, such fractional portion of agricultural land may be entered by any party qualified by law for homestead purposes.

SEC. 30. That where such person or association, they and their grantors, have held and worked their claims for a period equal to the time prescribed by the statute of limitations of the Philippine Islands, evidence of such possession and working of the claims for such period shall be sufficient to establish a right to a patent thereto under this act, in the absence of any adverse claim; but nothing in this act shall be deemed to impair any lien which may have attached in any way whatever to the issuance of a patent.

SEC. 31. That where the same person, association, or corporation is in possession of a placer claim, and also a vein or lode included within the boundaries thereof, application shall be made for a patent for the placer claim, with the statement that it includes such vein or lode, and in such case a patent shall issue for the placer claim, subject to the provisions of this act, including such vein or lode and 25 feet of surface on each side thereof, upon



the payment of \$5 per acre for such vein or lode claim. The remainder of the placer claim, or any placer claim not embracing any vein or lode claim, shall be paid for at the rate of \$2.50 per acre, together with all costs and proceedings; and where a vein or lode such as is described in section 3 is known to exist within the boundaries of a placer claim an application for a patent for such placer claim which does not include an application for the vein or lode claim shall be construed a conclusive declaration that the claimant of the placer claim has no right of possession of the vein or lode claim, but where the existence of a vein or lode in a placer claim is not known a patent for the placer claim shall convey all valuable mineral or other deposits within the boundaries thereof.

SEC. 32. That the chief of the Philippine insular bureau of public lands may appoint as many competent deputy mineral surveyors as shall apply for appointment to survey mining claims. The expenses of the survey of vein or lode claims and of the survey of placer claims, together with the cost of publication of notices, shall be paid by the applicants, and they shall be at liberty to obtain the same at the most reasonable rates, and they shall also be at liberty to employ any deputy mineral surveyor to make the survey. The chief of the Philippine insular bureau of public lands shall also have power to establish the maximum charges for surveys and publication of notices under this act; and in case of excessive charges for publication he may designate any newspaper published in a province or military department where mines are situated, or in Manila, for the publication of mining notices and fix the rates to be charged by such paper; and to the end that the chief of the bureau of public lands may be fully informed on the subject, such applicant shall file with the provincial secretary or adjutant-general, as the case may be, a sworn statement of all charges and fees paid by such applicant for publication and surveys, and of all fees and money paid the provincial treasurer or the collector of internal revenue, as the case may be, which statement shall be transmitted, with the other papers in the case, to the secretary of the interior for the Philippine Islands.

SEC. 33. That all affidavits required to be made under this act may be verified before any officer authorized to administer oaths within the province or military department where the claims may be situated, and all testimony and proofs may be taken before any such officer, and, when duly certified by the officer taking the same, shall have the same force and effect as if taken before the proper provincial secretary or adjutant-general. In cases of contest as to the mineral or agricultural character of land the testimony and proofs may be taken as herein provided on personal notice of at least ten days to the opposing party; or if such party can not be found, then by publication at least once a week for thirty days in a newspaper to be designated by the provincial secretary or the adjutant-general of the military department, as the case may be, published nearest to the location of such land and in two newspapers published at Manila, one in the English language and one in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands; and the provincial secretary or adjutant-general of the military department shall require proofs that such notice has been given.

SEC. 34. That when two or more veins intersect or cross each other, priority of title shall govern and such prior location shall be entitled to all ore or mineral contained within the space of intersection; but the subsequent location shall have the right of way through the space of intersection for the purposes of the convenient working of the mine, and where two or more veins unite, the oldest or prior location shall take the vein below the point of union, including all the space of intersection.

SEC. 35. That where nonmineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such nonadjacent surface ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable to veins or lodes; but no location of such nonadjacent land shall exceed 5 acres, and payment for the same must be made at the same rate as fixed by this act for the superficies of the lode. The owner of a quartz mill or reduction works not owning a mine in connection therewith may also receive a patent for his mill site as provided in this section.

SEC. 36. That as a condition of sale the United States Philippine Commission or its successors may provide rules for working, policing, and sanitation of mines, and rules concerning easements, drainage, water rights, right of way, right of Government survey and inspection, and other necessary means to their complete development not inconsistent with the provisions of this act, and those conditions shall be fully expressed in the patent. The Commission is hereby further empowered to fix the bonds of deputy mineral surveyors.

SEC. 37. That whenever by priority of possession rights to the use of water for mining, agricultural, manufacturing, or other purposes have vested and accrued and the same are recognized and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same, and the right of way for the construction of ditches and canals for the purposes herein specified is acknowledged and confirmed, but whenever any person, in the construction of any ditch or canal, injures or damages the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.

SEC. 38. That all patents granted shall be subject to any vested and accrued water rights, or rights to ditches and reservoirs used in connection with such water rights as may have been acquired under or recognized by the preceding section.

SEC. 39. That the United States Philippine Commission, or its successors, are authorized to establish land districts and provide for the appointment of the necessary officers wherever they may deem the same necessary for the public convenience, and to further provide that in districts where land officers are established proceedings required by this act to be had before provincial or military officers shall be had before the proper officers of such land offices.

SEC. 40. That every person above the age of 21 years, who is a citizen of the United States, a native of the Philippine Islands, or who has acquired the rights of a native of the Philippine Islands under and by virtue of the treaty of Paris, or any association of persons severally qualified as above, shall, upon application to the proper provincial treasurer or adjutant-general, have the right to enter any quantity of vacant coal lands of the Philippine Islands not otherwise appropriated or reserved by competent authority, not exceeding 160 acres to such individual person, or 320 acres to such association, upon payment to the provincial treasurer or the collector of internal revenue, as the case may be, of not less than \$10 per acre for such lands, where the same shall be situated more than 15 miles from any completed railroad or available harbor or navigable stream, and not less than \$20 per acre for such lands as shall be within 15 miles of such road, harbor, or stream: *Provided*, That such entries shall be taken in squares of 40 or 160 acres, in conformity with the rules and regulations governing the public land surveys of the United States in plotting legal subdivisions.

SEC. 41. That any person or association of persons severally qualified as above provided, who have opened and improved, or shall hereafter open and improve, any coal mine or mines upon the public lands, and shall be in actual possession of the same, shall be entitled to a preference right of entry

under the preceding section of the mines so opened and improved: *Provided*, That when any association of not less than four persons, severally qualified as above provided, shall have expended not less than \$5,000 in working and improving any such mine or mines, such association may enter not exceeding 640 acres, including such mining improvements.

SEC. 42. That all claims under the preceding section must be presented to the proper provincial secretary or adjutant-general within sixty days after the date of actual possession and the commencement of improvements on the land by the filing of a declaratory statement thereof; and where the improvements shall have been made prior to the expiration of three months from the date of the passage of this act, sixty days from the expiration of such three months shall be allowed for the filing of a declaratory statement, and no sale under the provisions of this act shall be allowed until the expiration of six months from the date of the passage of this act.

SEC. 43. That the three preceding sections shall be held to authorize only one entry by the same person or association of persons, and no association of persons, any members of which shall have taken the benefit of such sections, either as an individual or as a member of any other association, shall enter or hold any other lands under the provisions thereof, and no member of any association which shall have taken the benefit of such sections shall enter or hold any other lands under their provisions; and all persons claiming under section 38 shall be required to prove their respective rights and pay for the lands filed upon within one year from the time prescribed for filing their respective claims; and upon failure to file the proper notice or to pay for the land within the required period, the same shall be subject to entry by any other qualified applicant.

SEC. 44. That in case of conflicting claims upon coal lands, where the improvements shall be commenced after the date of the passage of this act, priority of possession and improvement, followed by proper filing and continued good faith, shall determine the preference right to purchase. And also where improvements have already been made prior to the passage of this act, division of the land claimed may be made by legal subdivisions, which shall conform as nearly as practicable with the subdivisions of land under the United States system of public land surveys, to include as near as may be the valuable improvements of the respective parties. The United States Philippine Commission, or its successors, are authorized to issue all needful rules and regulations for carrying into effect the provisions of this and preceding sections.

SEC. 45. That whenever it shall be made to appear to the secretary of any province in the Philippine Islands, or if there is no provincial secretary, to the adjutant-general of the commander of the military department including any province, that any lands within the province or department are saline in character, it shall be the duty of said provincial secretary or adjutant-general, under the regulations of the United States Philippine Commission, or its successors, to take testimony in reference to such lands, to ascertain their true character, and to report the same to the secretary of the interior for the Philippine Islands; and if, upon such testimony, the secretary of the interior shall find that such lands are saline and incapable of being purchased under any of the laws relative to the public domain, then and in such case said lands shall be offered for sale at the office of the provincial secretary or adjutant-general of the province or department in which the same shall be situated, as the case may be, under such regulations as may be prescribed by the United States Philippine Commission, or its successors, and sold to the highest bidder, for cash, at a price of not less than \$1.20 per acre; and in case such lands fail to sell when so offered, then the same shall be subject to private sale at such office, for cash, at a price not less than \$1.20 per acre, in the same manner as other lands in the Philippine Islands are sold. All Executive proclamations relating to the sales of public saline lands shall be published in only two newspapers, one printed in the English language and one in the Spanish language, at Manila, which shall be designated by the secretary of the interior.

SEC. 46. That no act granting lands to provinces or corporations to aid in the construction of roads, or for other purposes, shall be so construed as to embrace mineral lands, which in all cases are reserved exclusively, unless otherwise specially provided in the act or acts making the grant.

SEC. 47. That nothing in this act shall be construed to affect the rights of any person, partnership, or corporation having a valid, perfected mining concession granted prior to April 11, 1899, but all such concessions shall be conducted under the provisions of the law in force at the time they were granted, subject at all times to cancellation by reason of illegality in the procedure by which they were obtained, or for failure to comply with the conditions prescribed as requisite to their retention in the laws under which they were granted: *Provided*, That the owner or owners of every such concession shall cause the corners made by its boundaries to be distinctly marked with permanent monuments within ninety days after this act has been promulgated in the Philippine Islands, and that any concessions the boundaries of which are not so marked within this period shall be free and open to explorations and purchase under the provisions of this act.

SEC. 48. That mining rights on public lands in the Philippine Islands shall, after the passage of this act, be required only in accordance with its provisions.

SEC. 49. That the United States Philippine Commission, or its successors, are hereby empowered to establish a mining bureau, which shall discharge the duties prescribed for the "inspeccion de minas" by the laws in force in the Philippine Islands prior to April 11, 1899, with reference to all perfected Spanish concessions, and shall discharge such further duties, not in conflict with the provisions of this act, with reference to the mineral wealth and the development of the mining industry in the Philippine Islands, as the United States Philippine Commission, or its successors, may provide: *Provided*, That all proceedings for the cancellation of perfected Spanish concessions shall be conducted in the courts of the Philippine Islands having jurisdiction of the subject-matter and of the parties, unless the United States Philippine Commission, or its successors, shall create special tribunals for the determination of such controversies.

#### And in lieu thereof to insert:

SEC. 19. That mining claims upon veins or lodes of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits, located after the passage of this act, whether located by one or more persons qualified to locate the same under section 14, to be located in the following manner and under the following conditions: Any person so qualified desiring to locate a mineral claim, shall, subject to the provisions of this act with respect to land which may be used for mining, enter upon the same and locate a plot of ground measuring, where possible but not exceeding, 1,000 feet in length by 1,000 feet in breadth, in as nearly as possible a rectangular form—that is to say: All angles shall be right angles, except in cases where a boundary line of a previously surveyed claim is adopted as common to both claims, but the lines need not necessarily be meridional. In defining the size of a mineral claim, it shall be measured horizontally, irrespective of inequalities of the surface of the ground.

SEC. 20. That a mineral claim shall be marked by two posts placed as nearly as possible on the line of the ledge or vein, and the posts shall be numbered 1 and 2, and the distance between posts numbered 1 and 2 shall not exceed 1,000 feet, the line between posts numbered 1 and 2 to be known as the

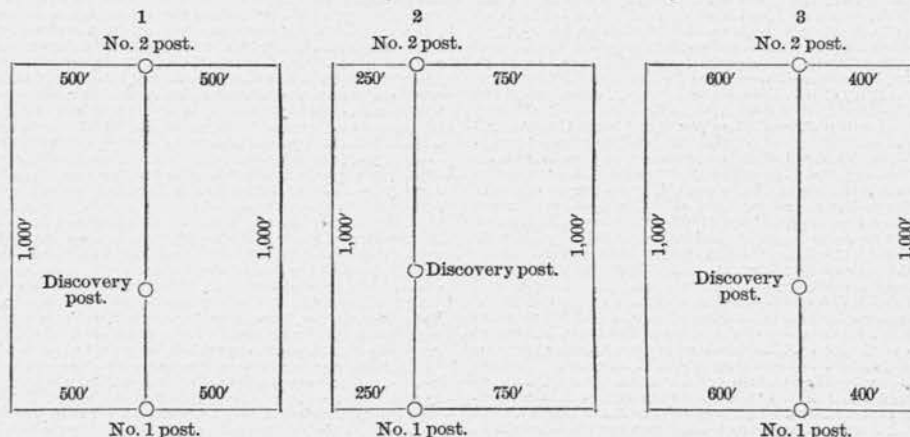


location line; and upon posts numbered 1 and 2 shall be written the name given to the mineral claim, the name of the locator, and the date of the location. Upon post numbered 1 there shall be written, in addition to the foregoing, "Initial post," the approximate compass bearing of post numbered 2, and a statement of the number of feet lying to the right and to the left of the line from post numbered 1 to post numbered 2, thus: "Initial post. Direction of post numbered 2. — feet of this claim lie on the right and — feet on the left of the line from No. 1 to No. 2 post." All the particulars required to be put on No. 1 and No. 2 posts shall be furnished by the locator to the provincial secretary or such other officer as by the Philippine govern-

ment may be described as mining recorder, in writing, at the time the claim is recorded, and shall form a part of the record of such claim.

SEC. 21. That when a claim has been located the holder shall immediately mark the line between posts numbered 1 and 2 so that it can be distinctly seen. The locator shall also place a post at the point where he has found rock in place, on which shall be written "Discovery post." *Provided*, That when the claim is surveyed the surveyor shall be guided by the records of the claim, the sketch plan on the back of the declaration made by the owner when the claim was recorded, posts numbered 1 and 2, and the notice on No. 1, the initial post.

#### EXAMPLES OF VARIOUS MODES OF LAYING OUT CLAIMS.



SEC. 22. That it shall not be lawful to move No. 1 post, but No. 2 post may be moved by the deputy mineral surveyor when the distance between posts Nos. 1 and 2 exceeds 1,000 feet, in order to place No. 2 post 1,000 feet from No. 1 post on the line of location. When the distance between posts Nos. 1 and 2 is less than 1,000 feet the deputy mineral surveyor shall have no authority to extend the claim beyond No. 2.

SEC. 23. That the "location line" shall govern the direction of one side of the claim, upon which the survey shall be extended according to this act.

SEC. 24. That the holder of a mineral claim shall be entitled to all minerals which may lie within his claim, but he shall not be entitled to mine outside the boundary lines of his claim continued vertically downward: *Provided*, That this act shall not prejudice the rights of claim owners nor claim holders whose claims have been located under existing laws prior to this act.

SEC. 25. That no mineral claim of the full size shall be recorded without the application being accompanied by an affidavit made by the applicant or some person on his behalf cognizant of the facts—that the legal notices and posts have been put up; that mineral has been found in place on the claim proposed to be recorded; that the ground applied for is unoccupied by any other person as a mineral claim, and is not occupied by any building, or any land falling within the curtilage of any dwelling house, or any land under cultivation. In the said declaration shall be set out the name of the applicant and the date of the location of the claim. The words written on the No. 1 and No. 2 posts shall be set out in full, and as accurate a description as possible of the position of the claim given with reference to some natural object or permanent monuments.

SEC. 26. That no mineral claim which at the date of its record is known by the locator to be less than a full-sized mineral claim shall be recorded without the word "fraction" being added to the name of the claim, and the application being accompanied by an affidavit or solemn declaration made by the applicant or some person on his behalf cognizant of the facts: That the legal posts and notices have been put up; that mineral has been found in place on the fractional claim proposed to be recorded; that the ground applied for is unoccupied by any other person as a mineral claim, and is not occupied by any building, or any land falling within the curtilage of any dwelling house, or any land under cultivation. In the said declaration shall be set out the name of the applicant and the date of the location of the claim. The words written on the posts Nos. 1 and 2 shall be set out in full, and as accurate a description as possible of the position of the claim given. A sketch plan shall be drawn by the applicant on the back of the declaration, showing as near as may be the position of the adjoining mineral claims, and the shape and size, expressed in feet, of the fraction desired to be recorded: *Provided*, That the failure on the part of the locator of a mineral claim to comply with any of the foregoing provisions of this section shall not be deemed to invalidate such location, if upon the facts it shall appear that such locator has actually discovered mineral in place on said location, and that there has been on his part a bona fide attempt to comply with the provisions of this act, and that the nonobservance of the formalities hereinbefore referred to is not of a character calculated to mislead other persons desiring to locate claims in the vicinity.

SEC. 27. That in cases where, from the nature or shape of the ground, it is impossible to mark the location line of the claim, as provided by this act, then the claim may be marked by placing posts as nearly as possible to the location line, and noting the distance and direction such posts may be from such location line, which distance and direction shall be set out in the record of the claim.

SEC. 28. That every person locating a mineral claim shall record the same with the provincial secretary or such other officer as by the Philippine government may be described as mining recorder of the district within which the same is situated, within thirty days after the location thereof. Such record shall be made in a book to be kept for the purpose in the office of the said provincial secretary or such other officer as by the Philippine government described as mining recorder, in which shall be inserted the name of the claim, the name of each locator, the locality of the mine, the direction of the location line, the length in feet, the date of location, and the date of the record. A claim which shall not have been recorded within the prescribed period shall be deemed to have been abandoned.

SEC. 29. That every grant hereafter issued of a mineral claim shall convey, and be deemed to convey, only the right to the use and possession of the surface of such claim, including the use of all the timber thereon, for the purpose of getting from and out of such claim the minerals contained therein, including all operations connected therewith or with the business of mining; and the lawful holder by record of a claim shall, during the continuance of

his record, be entitled to the same surface rights and no others; and all remaining surface rights shall be deemed to be vested in the Government and may be granted and disposed of as is provided by law, subject always to the rights of locators as aforesaid.

SEC. 30. That in case of any dispute as to the location of a mineral claim the title to the claim shall be recognized according to the priority of such location, subject to any question as to the validity of the record itself, and subject to the holder having complied with all the terms and conditions of this act.

SEC. 31. That no holder shall be entitled to hold in his own name, or in the name of any other person, more than one mineral claim on the same vein or lode.

SEC. 32. That a holder may at any time abandon any mineral claim by giving notice, in writing, of such intention to abandon, to the provincial secretary or such other officer as by the Philippine government may be described as mining recorder; and from the date of the record of such notice all his interest in such claim shall cease.

SEC. 33. That proof of citizenship under this act may consist, in the case of an individual, of his own affidavit thereof; in the case of an association of persons unincorporated, of the affidavit of their authorized agent, made on his own knowledge or upon information and belief; and in the case of a corporation organized under the laws of the United States, or of any State or Territory thereof, or of the Philippine Islands, by the filing of a certified copy of their charter or certificate of incorporation.

SEC. 34. That where a tunnel is run for the development of a vein or lode, or for the discovery of mines, the owners of such tunnel shall have the right of possession of all veins or lodes within 3,000 feet from the face of such tunnel on the line thereof, not previously known to exist, discovered in such tunnel, to the same extent as if discovered from the surface; and locations on the line of such tunnel, of veins or lodes not appearing on the surface, made by other parties after the commencement of the tunnel and while the same is being prosecuted with reasonable diligence, shall be invalid; but failure to prosecute the work on the tunnel for six months shall be considered as an abandonment of the right to all undiscovered veins on the line of such tunnel.

SEC. 35. That the United States Philippine Commission or its successors may make regulations, not in conflict with the provisions of this act, governing the location, manner of recording, and amount of work necessary to hold possession of a mining claim, subject to the following requirements:

On each claim located after the passage of this act, and until a patent has been issued therefor, not less than \$100 worth of labor shall be performed or improvements made during each year: *Provided*, That where a person or company has or may run a tunnel for the purpose of developing a lode or lodes owned by said person or company the money so expended in said tunnel shall be taken and considered as expended on said lode or lodes, and such person or company shall not be required to perform work on the surface of said lode or lodes in order to hold the same. Upon a failure to comply with these conditions the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made, provided that the original locators, their heirs, assigns, or legal representatives have not resumed work upon the claim after failure and before such location. Upon the failure of any one of several coowners to contribute his proportion of the expenditures required thereby, the coowners who have performed the labor or made the improvements may, at the expiration of the year, give such delinquent coowner personal notice in writing, or notice by publication in the newspaper published nearest the claim, and in two newspapers published at Manila, one in the English language and the other in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands, for at least once a week for ninety days, and if, at the expiration of ninety days after such notice in writing or by publication such delinquent shall fail or refuse to contribute his proportion of the expenditure required by this section his interest in the claim shall become the property of his coowners who have made the required expenditures. The period within which the work required to be done annually on all unpatented mineral claims shall commence on the 1st day of January succeeding the date of location of such claim.

SEC. 36. That a patent for any land claimed or located for valuable mineral deposits may be obtained in the following manner: Any person, association, or corporation authorized to locate a claim under this act, having claimed and located a piece of land for such purposes, who has or have complied with the terms of this act, may file in the office of the provincial secretary, or such other officer as by the Philippine government may be described

as mining recorder of the province wherein the land claimed is located, an application for a patent, under oath, showing such compliance, together with a plat and field notes of the claim or claims in common, made by or under the direction of the chief of the Philippine insular bureau of public lands, showing accurately the boundaries of the claim, which shall be distinctly marked by monuments on the ground, and shall post a copy of such plat, together with a notice of such application for a patent, in a conspicuous place on the land embraced in such plat previous to the filing of the application for a patent, and shall file an affidavit of at least two persons that such notice has been duly posted, and shall file a copy of the notice in such office, and shall thereupon be entitled to a patent for the land, in the manner following: The provincial secretary, or such other officer as by the Philippine government may be described as mining recorder, upon the filing of such application, plat, field notes, notices, and affidavits, shall publish a notice that such an application has been made, once a week for the period of sixty days, in a newspaper to be by him designated as nearest to such claim and in two newspapers published at Manila, one in the English language and one in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands; and he shall also post such notice in his office for the same period.

The claimant at the time of filing this application, or at any time thereafter within the sixty days of publication, shall file with the provincial secretary or such other officer as by the Philippine government may be described as mining recorder a certificate of the chief of the Philippine insular bureau of public lands that \$500 worth of labor has been expended or improvements made upon the claim by himself or grantors; that the plat is correct, with such further description by such reference to natural objects or permanent monuments as shall identify the claim, and furnish an accurate description to be incorporated in the patent. At the expiration of the sixty days of publication the claimant shall file his affidavit, showing that the plat and notice have been posted in a conspicuous place on the claim during such period of publication. If no adverse claim shall have been filed with the provincial secretary or such other officer as by the Philippine government may be described as mining recorder at the expiration of the sixty days of publication, it shall be assumed that the applicant is entitled to a patent upon the payment to the provincial treasurer or the collector of internal revenue of \$5 per acre and that no adverse claim exists, and thereafter no objection from third parties to the issuance of a patent shall be heard, except it be shown that the applicant has failed to comply with the terms of this act: *Provided*, That where the claimant for a patent is not a resident of or within the province wherein the vein, ledge, or deposit sought to be patented is located, the application for patent and the affidavits required to be made in this section by the claimant for such patent may be made by his, her, or its authorized agent where said agent is conversant with the facts sought to be established by said affidavits.

SEC. 37. That applicants for mineral patents, if residing beyond the limits of the province of military department wherein the claim is situated, may make any oath or affidavit required for proof of citizenship before the clerk of any court of record or before any notary public of any province of the Philippine Islands or any other official authorized by law to administer oaths.

SEC. 38. That where an adverse claim is filed during the period of publication it shall be upon oath of the person or persons making the same, and shall show the nature, boundaries, and extent of such adverse claim, and all proceedings, except the publication of notice and making and filing of the affidavits thereof, shall be stayed until the controversy shall have been settled or decided by a court of competent jurisdiction, or the adverse claim waived. It shall be the duty of the adverse claimant, within thirty days after filing his claim, to commence proceedings in a court of competent jurisdiction to determine the question of the right of possession, and prosecute the same with reasonable diligence to final judgment; and a failure so to do shall be a waiver of his adverse claim.

After such judgment shall have been rendered the party entitled to the possession of the claim, or any portion thereof, may, without giving further notice, file a certified copy of the judgment roll with the provincial secretary, or such other officer as by the Philippine government may be described as mining recorder, together with the certificate of the chief of the Philippine insular bureau of public lands that the requisite amount of labor has been expended or improvements made thereon, and the description required in other cases, and shall pay to the provincial treasurer or the collector of internal revenue of the province in which the claim is situated, as the case may be, \$5 per acre for his claim, together with the proper fees, whereupon the whole proceedings and the judgment roll shall be certified by the provincial secretary, or such other officer as by the Philippine government may be described as mining recorder, to the secretary of the interior of the Philippine Islands, and a patent shall issue thereon for the claim, or such portion thereof as the applicant shall appear, from the decision of the court, rightly to possess.

The adverse claim may be verified by the oath of any duly authorized agent or attorney in fact of the adverse claimant cognizant of the facts stated; and the adverse claimant, if residing or at the time being beyond the limits of the province wherein the claim is situated, may make oath to the adverse claim before the clerk of any court of record or any notary public of any province of the Philippine Islands, or any other officer authorized to administer oaths where the adverse claimant may then be. If it appears from the decision of the court that several parties are entitled to separate and different portions of the claim, each party may pay for his portion of the claim, with the proper fees, and file the certificate and description by the chief of the Philippine insular bureau of public lands, whereupon the provincial secretary, or such other officer as by the Philippine government may be described as mining recorder, shall certify the proceedings and judgment roll to the secretary of the interior for the Philippine Islands, as in the preceding case, and patents shall issue to the several parties according to their respective rights. If in any action brought pursuant to this section title to the ground in controversy shall not be established by either party, the court shall so find, and judgment shall be entered accordingly. In such case costs shall not be allowed to either party, and the claimant shall not proceed in the office of the provincial secretary, or such other officer as by the Philippine government may be described as mining recorder, or be entitled to a patent for the ground in controversy until he shall have perfected his title. Nothing herein contained shall be construed to prevent the alienation of a title conveyed by a patent for a mining claim to any person whatever.

SEC. 39. That the description of vein or lode claims upon unsurveyed lands shall designate the location of the claim with reference to the lines of the public surveys, but need not conform therewith; but where a patent shall be issued for claims upon unsurveyed lands the chief of the Philippine insular bureau of public lands in extending the surveys shall adjust the same to the boundaries of such patented claim according to the plat or description thereof, but so as is no case to interfere with or change the location of any such patented claim.

SEC. 40. That claims usually called "placer," including all forms of deposits excepting veins of quartz or other rock in place, shall be subject to entry and patent, under like circumstances and conditions and upon similar proceedings as are provided for vein or lode claims; but where the lands have been previously surveyed by governmental authority the entry in its exterior limits shall conform to the legal subdivisions of the public lands.

SEC. 41. That any person authorized to enter lands under this act may enter and obtain patent to lands that are chiefly valuable for building stone under the provisions of this act relative to placer mineral claims.

SEC. 42. That any person authorized to enter lands under this act may enter and obtain patent to lands containing petroleum or other mineral oils and chiefly valuable therefor, under the provisions of this act relative to placer mineral claims.

SEC. 43. That no location of a placer claim shall exceed 100 acres for any association of persons, irrespective of the number of persons composing such association, and no such location shall include more than 20 acres for an individual claimant. Such locations shall conform to the laws of the United States Philippine Commission, or its successors, with reference to public surveys, and nothing in this section contained shall defeat or impair any bona fide ownership of land for agricultural purposes or authorize the sale of the improvements of any bona fide settler to any purchaser.

SEC. 44. That where placer claims are upon surveyed lands and conform to legal subdivisions, no further survey or plat shall be required, and all placer mining claims located after the date of passage of this act shall conform as nearly as practicable with the Philippine system of public-land surveys and the regular subdivisions of such surveys; but where placer claims can not be conformed to legal subdivisions, survey and plat shall be made as on unsurveyed lands; and where by the segregation of mineral lands in any legal subdivision a quantity of agricultural land less than 40 acres shall remain, such fractional portion of agricultural land may be entered by any party qualified by law for homestead purposes.

SEC. 45. That where such person, association, and their grantors have held and worked their claims for a period equal to the time prescribed by the statute of limitations of the Philippine Islands, evidence of such possession and working of the claims for such period shall be sufficient to establish a right to a patent thereon under this act, in the absence of any adverse claim; but nothing in this act shall be deemed to impair any lien which may have attached in any way whatever prior to the issuance of a patent.

SEC. 46. That where the same person, association, or corporation is in possession of a placer claim, and also a vein or lode included within the boundaries thereof, application shall be made for a patent for the placer claim, with the statement that it includes such vein or lode, and in such case a patent shall issue for the placer claim, subject to the provisions of this act, including such vein or lode and 25 feet of surface on each side thereof, upon the payment of \$5 per acre for such vein or lode claim. The remainder of the placer claim or any placer claim not embracing any vein or lode claim, shall be paid for at the rate of \$2.50 per acre, together with all costs of proceedings; and where a vein or lode such as is hereinbefore described is known to exist within the boundaries of a placer claim, an application for a patent for such placer claim which does not include an application for the vein or lode claim shall be construed as a conclusive declaration that the claimant of the placer claim has no right of possession of the vein or lode claim, but where the existence of a vein or lode in a placer claim is not known, a patent for the placer claim shall convey all valuable mineral or other deposits within the boundaries thereof.

SEC. 47. That the chief of the Philippine insular bureau of public lands may appoint as many competent deputy mineral surveyors as shall apply for appointment to survey mining claims. The expenses of the survey of vein or lode claims and of the survey of placer claims, together with the cost of publication of notices, shall be paid by the applicants, and they shall be at liberty to obtain the same at the most reasonable rates, and they shall also be at liberty to employ any deputy mineral surveyor to make the survey. The chief of the Philippine insular bureau of public lands shall also have power to establish the maximum charges for surveys and publication of notices under this act; and in case of excessive charges for publication he may designate any newspaper published in a province where mines are situated, or in Manila, for the publication of mining notices and fix the rates to be charged by such paper; and to the end that the chief of the bureau of public lands may be fully informed on the subject, such applicant shall file with the provincial secretary, or such other officer as by the Philippine government may be described as mining recorder, a sworn statement of all charges and fees paid by such applicant for publication and surveys, and of all fees and money paid the provincial treasurer or the collector of internal revenue, as the case may be, which statement shall be transmitted, with the other papers in the case, to the secretary of the interior for the Philippine Islands.

SEC. 48. That all affidavits required to be made under this act may be verified before any officer authorized to administer oaths within the province where the claims may be situated, and all testimony and proofs may be taken before any such officer, and, when duly certified by the officer taking the same, shall have the same force and effect as if taken before the proper provincial secretary or such other officer as by the Philippine government may be described as mining recorder. In cases of contest as to the mineral or agricultural character of land the testimony and proofs may be taken as herein provided on personal notice of at least ten days to the opposing party; or if such party can not be found, then by publication at least once a week for thirty days in a newspaper to be designated by the provincial secretary or such other officer as by the Philippine government may be described as mining recorder published nearest to the location of such land and in two newspapers published at Manila, one in the English language and one in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands; and the provincial secretary or such other officer as by the Philippine government may be described as mining recorder shall require proofs that such notice has been given.

SEC. 49. That where nonmineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such nonadjacent surface ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable to veins or lodes; but no location of such nonadjacent land shall exceed 5 acres, and payment for the same must be made at the same rate as fixed by this act for the superficies of the lode. The owner of a quartz mill or reduction works not owning a mine in connection therewith may also receive a patent for his mill site as provided in this section.

SEC. 50. That as a condition of sale the United States Philippine Commission, or its successors, may provide rules for working, policing, and sanitation of mines, and rules concerning easements, drainage, water rights, right of way, right of government survey and inspection, and other necessary means to their complete development not inconsistent with the provisions of this act, and those conditions shall be fully expressed in the patent. The Commission or its successors are hereby further empowered to fix the bonds of deputy mineral surveyors.

SEC. 51. That whenever by priority of possession rights to the use of water for mining, agricultural, manufacturing, or other purposes have vested and accrued and the same are recognized and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same, and the right of way for the construction of ditches and canals for the purposes herein specified is acknowledged and confirmed, but whenever any person, in the construction of any ditch or canal, injures or damages the possession of any settler on the



public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.

Sec. 52. That all patents granted shall be subject to any vested and accrued water rights, or rights to ditches and reservoirs used in connection with such water rights as may have been acquired under or recognized by the preceding section.

Sec. 53. That the United States Philippine Commission, or its successors, are authorized to establish land districts and provide for the appointment of the necessary officers wherever they may deem the same necessary for the public convenience, and to further provide that in districts where land offices are established proceedings required by this act to be had before provincial officers shall be had before the proper officers of such land offices.

Sec. 54. That every person above the age of 21 years, who is a citizen of the United States, a native of the Philippine Islands, or who has acquired the rights of a native of the Philippine Islands under and by virtue of the treaty of Paris, or any association of persons severally qualified as above, shall, upon application to the proper provincial treasurer, have the right to enter any quantity of vacant coal lands of the Philippine Islands not otherwise appropriated or reserved by competent authority, not exceeding 100 acres to such individual person, or 320 acres to such association, upon payment to the provincial treasurer or the collector of internal revenue, as the case may be, of not less than \$10 per acre for such lands, where the same shall be situated more than 15 miles from any completed railroad or available harbor or navigable stream, and not less than \$20 per acre for such lands as shall be within 15 miles of such road, harbor, or stream: *Provided*, That such entries shall be taken in squares of 40 or 100 acres, in conformity with the rules and regulations governing the public-land surveys of the United States in plotting legal subdivisions.

Sec. 55. That any person or association of persons, severally qualified as above provided, who have opened and improved, or shall hereafter open and improve, any coal mine or mines upon the public lands, and shall be in actual possession of the same, shall be entitled to a preference right of entry under the preceding section of the mines so opened and improved: *Provided*, That when any association of not less than four persons, severally qualified as above provided, shall have expended not less than \$5,000 in working and improving any such mine or mines, such association may enter not exceeding 640 acres, including such mining improvements.

Sec. 56. That all claims under the preceding section must be presented to the proper provincial secretary within sixty days after the date of actual possession and the commencement of improvements on the land by the filing of a declaratory statement therefor; and where the improvements shall have been made prior to the expiration of three months from the date of the passage of this act, sixty days from the expiration of such three months shall be allowed for the filing of a declaratory statement; and no sale under the provisions of this act shall be allowed until the expiration of six months from the date of the passage of this act.

Sec. 57. That the three preceding sections shall be held to authorize only one entry by the same person or association of persons; and no association of persons any member of which shall have taken the benefit of such sections, either as an individual or as a member of any other association, shall enter or hold any other lands under the provisions thereof; and no member of any association which shall have taken the benefit of such section shall enter or hold any other lands under their provisions; and all persons claiming under section 28 shall be required to prove their respective rights and pay for the lands filed upon within one year from the time prescribed for filing their respective claims; and upon failure to file the proper notice or to pay for the land within the required period the same shall be subject to entry by any other qualified applicant.

Sec. 58. That in case of conflicting claims upon coal lands where the improvements shall be commenced after the date of the passage of this act, priority of possession and improvement, followed by proper filing and continued good faith, shall determine the preference right to purchase. And also where improvements have already been made prior to the passage of this act, division of the land claimed may be made by legal subdivisions, which shall conform as nearly as practicable with the subdivisions of land under the United States system of public-land surveys, to include as near as may be the valuable improvements of the respective parties. The United States Philippine Commission, or its successors, are authorized to issue all needful rules and regulations for carrying into effect the provisions of this and preceding sections.

Sec. 59. That whenever it shall be made to appear to the secretary of any province in the Philippine Islands that any lands within the province are saline in character, it shall be the duty of said provincial secretary or adjutant-general, under the regulations of the United States Philippine Commission, or its successors, to take testimony in reference to such lands, to ascertain their true character, and to report the same to the secretary of the interior for the Philippine Islands; and if, upon such testimony, the secretary of the interior shall find that such lands are saline and incapable of being purchased under any of the laws relative to the public domain, then and in such case said lands shall be offered for sale at the office of the provincial secretary or such other officer as by the Philippine government may be described as mining recorder of the province or department in which the same shall be situated, as the case may be, under such regulations as may be prescribed by the United States Philippine Commission, or its successors, and sold to the highest bidder, for cash, at a price of not less than \$1.20 per acre; and in case such lands fail to sell when so offered, then the same shall be subject to private sale at such office, for cash, at a price not less than \$1.20 per acre, in the same manner as other lands in the Philippine Islands are sold. All Executive proclamations relating to the sales of public saline lands shall be published in only two newspapers, one printed in the English language and one in the Spanish language, at Manila, which shall be designated by the secretary of the interior.

Sec. 60. That no act granting lands to provinces or corporations to aid in the construction of roads, or for other purposes, shall be so construed as to embrace mineral lands, which in all cases are reserved exclusively, unless otherwise specially provided in the act or acts making the grant.

Sec. 61. That nothing in this act shall be construed to affect the rights of any person, partnership, or corporation having a valid, perfected mining concession granted prior to April 11, 1899, but all such concessions shall be conducted under the provisions of the law in force at the time they were granted, subject at all times to cancellation by reason of illegality in the procedure by which they were obtained, or for failure to comply with the conditions prescribed as requisite to their retention in the laws under which they were granted: *Provided*, That the owner or owners of every such concession shall cause the corners made by its boundaries to be distinctly marked with permanent monuments within ninety days after this act has been promulgated in the Philippine Islands, and that any concessions the boundaries of which are not so marked within this period shall be free and open to explorations and purchase under the provisions of this act.

Sec. 62. That mining rights on public lands in the Philippine Islands shall, after the passage of this act, be required only in accordance with its provisions.

Sec. 63. That the United States Philippine Commission, or its successors, are hereby empowered to establish a mining bureau, which shall discharge

the duties prescribed for the "Inspeccion de minas" by the laws in force in the Philippine Islands prior to April 11, 1899, with reference to all perfected Spanish concessions, and shall discharge such further duties, not in conflict with the provisions of this act, with reference to the mineral wealth and the development of the mining industry in the Philippine Islands, as the United States Philippine Commission or its successors, may provide: *Provided*, That all proceedings for the cancellation of perfected Spanish concessions shall be conducted in the courts of the Philippine Islands having jurisdiction of the subject-matter and of the parties, unless the United States Philippine Commission, or its successors, shall create special tribunals for the determination of such controversies.

The amendment was agreed to.

The next amendment was, in section 64, page 62, line 9, after the word "estate," to strike out "together with appurtenances and hereditaments thereunto belonging;" so as to read:

That the government of the Philippine Islands is hereby authorized to acquire, receive, hold, maintain, and convey title to real and personal property, and may acquire real estate, for public uses, by the exercise of the right of eminent domain.

The amendment was agreed to.

The next amendment was, on page 62, in line 12, before the word "That," to insert "SEC. 65:" in the same line, after the word "hereinbefore," to strike out "in this section;" in line 13, after the word "conferred," to insert "in section 63;" in the same line, after the word "may," to insert "also;" in line 14, after the word "lands," to insert "easements, appurtenances, and hereditaments;" in line 21, after the word "acquire," to strike out "said lands" and insert "the lands mentioned in this section;" in line 24, after the word "value," to insert "in gold coin of the United States of the present standard value or the equivalent in value in money of the Philippine Islands;" in line 6, after the word "four," to insert "and a half;" and in line 18, after the word "Islands," to strike out:

and may be received by the Comptroller of the Currency of the United States as security for circulating notes issued under authority of the national bank act as amended by this act; and circulating notes secured by the deposit of said bonds shall be subject only to the tax upon circulation provided by section 13 of the act of March 14, 1900, entitled "An act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes;"

and on page 64, line 5, after the word "this," to strike out "act" and insert "section;" so as to make the section read:

SEC. 65. That the powers hereinbefore conferred in section 63 may also be exercised in respect of any lands, easements, appurtenances, and hereditaments which, on the 13th of August, 1898, were owned or held by associations, corporations, communities, religious orders, or private individuals in such large tracts or parcels as in the opinion of the Commission injuriously affect the welfare of the people of the Philippine Islands. And for the purpose of providing funds to acquire the lands mentioned in this section said government of the Philippines is hereby empowered to incur indebtedness, to borrow money, and to issue, and to sell at not less than par value, in gold coin of the United States of the present standard value or the equivalent in value in money of the Philippine Islands, upon such terms and conditions as it may deem best, registered or coupon bonds of the government of the Philippine Islands for such amount as may be necessary, said bonds to be in denominations of \$50 or any multiple thereof, bearing interest at a rate not exceeding 4 per cent per annum, payable quarterly, and to be payable at the pleasure of the government of the Philippine Islands after dates named in said bonds not less than five nor more than thirty years from the date of their issue, together with interest thereon, in gold coin of the United States of the present standard value or the equivalent in value in money of the Philippine Islands; and said bonds shall be exempt from the payment of all taxes or duties of the government of the Philippine Islands and the Government of the United States, as well as from taxation in any form by or under State, municipal, or local authority in the United States or the Philippine Islands. The moneys which may be realized or received from the issue and sale of said bonds shall be applied by the government of the Philippine Islands to the acquisition of the property authorized by this section, and to no other purpose.

Mr. LODGE. There is a misprint there. It should be "section 64." I move to amend the amendment in line 13 by striking out "sixty-three" and insert "sixty-four."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, in section 66, page 64, line 8, before the word "shall," to strike out "this enactment" and insert "section 65 of this act;" in line 13, after the word "Provided," to strike out "however;" in line 16, after the word "Philippines," to strike out "and that all deferred payments of the purchase price shall bear interest not less than that borne by the bonds," and insert:

All deferred payments and the interest thereon shall be payable in the money prescribed for the payment of principal and interest of the bonds authorized to be issued in payment of said lands by section 65 of this act, and said deferred payments shall bear interest not less than that borne by the bonds. All moneys realized or received from sales or other disposition of said lands or by reason thereof shall constitute a trust fund for the payment of principal and interest of said bonds, and also constitute a sinking fund for the payment of said bonds at their maturity.

So as to make the section read:

SEC. 66. That all lands acquired by virtue of section 65 of this act shall constitute a part and portion of the public property of the government of the Philippine Islands, and may be leased, let, sold, and conveyed by the government of the Philippines on such terms and conditions as it may prescribe: *Provided*, that the price to be paid by a purchaser shall in no case be less than the appraised value fixed thereon at the time of acquisition thereof by said government of the Philippines. All deferred payments and the interest thereon shall be payable in the money prescribed for the payment of principal and interest of the bonds authorized to be issued in payment of said lands by section 65 of this act, and said deferred payments shall bear interest not less than that borne by the bonds. All moneys realized or received from

sales or other disposition of said lands or by reason thereof shall constitute a trust fund for the payment of principal and interest of said bonds, and also constitute a sinking fund for the payment of said bonds at their maturity. Actual settlers and occupants at the time said lands are acquired by the government shall have the preference over all others to lease, purchase, or acquire their holdings within such reasonable time as may be determined by said government.

The next amendment was, on page 65, after line 7, to strike out the following:

SEC. 52. That all moneys realized or received from sales or other disposition of said lands, or by reason thereof, shall constitute a sinking fund to meet the obligations of said bonds and to retire them at the time fixed and specified in the bonds.

The amendment was agreed to.

The next amendment was, in section 67, page 65, line 21, after the word "dollars," to insert "or in causes in which the value in controversy exceeds \$5,000;" so as to make the section read:

SEC. 67. That the Supreme Court of the United States shall have jurisdiction to review, revise, reverse, modify, or affirm the final judgments and decrees of the supreme court of the Philippine Islands in all actions, cases, causes, and proceedings now pending therein or hereafter determined thereby in which the Constitution or any statute, treaty, title, right, privilege, or obligation of the United States is involved, or in which the title or possession of real estate exceeding in value the sum of \$5,000, or in causes in which the value in controversy exceeds \$5,000, to be ascertained by the oath of either party or of other competent witnesses, is involved or brought in question; and such final judgments or decrees may and can be reviewed, revised, reversed, modified, or affirmed by said Supreme Court of the United States on appeal or writ of error by the party aggrieved, in the same manner, under the same regulations, and by the same procedure, as far as applicable, as the final judgments and decrees of the circuit courts of the United States.

Mr. RAWLINS. I call the attention of the Senator from Massachusetts to this amendment. In connection with what follows he will see that it is ungrammatical.

Mr. LODGE. What does the Senator suggest?

Mr. RAWLINS. It should come in, it seems to me, after the word "involved" or after the word "question."

Mr. LODGE. The Senator thinks the amendment ought to come in in line 19, after the word "involved?"

Mr. RAWLINS. I think so.

Mr. LODGE. I think that would be better.

The PRESIDING OFFICER. The committee modify their amendment so as to insert the words proposed to be inserted after the word "involved," in line 19; so as to read:

In which the Constitution or any statute, treaty, title, right, privilege, or obligation of the United States is involved, or in causes in which the value in controversy exceeds \$5,000, or in which the title or possession of real estate exceeding in value the sum of \$5,000, to be ascertained by the oath of either party.

The amendment was agreed to.

The next amendment was, in section 68, page 66, line 20, after the words "per annum," to insert the following proviso:

Provided, That the entire indebtedness of any municipality under this provision shall not exceed 5 per cent of the assessed valuation of the property in said municipality, and any obligation in excess of such limit shall be null and void.

So that the section will read:

SEC. 68. That for the purpose of providing funds to construct sewers, to furnish adequate sewer drainage facilities, to secure a sufficient supply of water, and to provide all kinds of municipal betterments and improvements in municipalities, the government of the Philippine Islands, under such limitations, terms, and conditions as it may prescribe, with the consent and approval of the President of the United States, may permit any municipality of said islands to incur indebtedness, borrow money, and to issue and sell (at not less than par value) registered or coupon bonds in such amount and payable at such time as may be determined by the government of the Philippines, with interest thereon not to exceed 5 per cent per annum: *Provided*, That the entire indebtedness of any municipality under this provision shall not exceed 5 per cent of the assessed valuation of the property in said municipality, and any obligation in excess of such limit shall be null and void.

The amendment was agreed to.

The next amendment was, in section 72, page 68, line 15, after the words "per annum," to insert: "This loan may be in addition to the total indebtedness provided in section 67 of this act;" so as to make the section read:

SEC. 72. That for the purpose of providing funds to construct sewers in the city of Manila and to furnish it with an adequate sewer and drainage system and supply of water the government of the Philippine Islands, with the approval of the President of the United States, is hereby authorized to permit the municipality of Manila to incur indebtedness, to borrow money, and to issue and sell (at not less than par value), upon such terms and conditions as it may deem best, registered or coupon bonds of the city of Manila to an amount not exceeding \$4,000,000 lawful money of the United States, payable at such time or times as may be determined by the government of the Philippines, with interest thereon not to exceed 5 per cent per annum. This loan may be in addition to the total indebtedness provided in section 67 of this act.

The amendment was agreed to.

The next amendment was, in section 76, page 70, in line 7, after the word "That," to insert, "no private property shall be taken for any purpose under this section without just compensation paid or tendered therefor, and that;" so as to make the section read:

SEC. 76. That the government of the Philippine Islands may grant franchises, privileges, and concessions, including the authority to exercise the right of eminent domain for the construction and operation of works of public utility and service, and may authorize said works to be constructed and maintained over and across the public property of the United States, including streets, highways, squares, and reservations, and over similar property

of the government of the Philippine Islands, and may adopt rules and regulations under which the provincial and municipal governments of the islands may grant the right to use and occupy such public property belonging to said provinces or municipalities: *Provided*, That no private property shall be taken for any purpose under this section without just compensation paid or tendered therefor, and that such authority to take and occupy land shall not authorize the taking, use, or occupation of any land except such as is required for the actual necessary purposes, etc.

The amendment was agreed to.

The next amendment was, to strike out sections 64 to 109, inclusive, in the following words:

#### ESTABLISHING A COINAGE SYSTEM.

SEC. 64. That the gold dollar of the United States, consisting of 25½ grains of gold, nine-tenths fine, as defined by section 3511 of the Revised Statutes of the United States, shall be the standard unit of value in the Philippine Islands.

SEC. 65. That there shall be coined for use in the Philippine Islands a coin of the denomination of 1 peso, which shall contain 25 grams of silver of the fineness of eight hundred and thirty-five one-thousandths. The peso shall be divisible into 100 equal parts, called centavos, and there shall be coined silver pieces of 50 centavos, 20 centavos, and 10 centavos, containing silver of the same fineness and in equal proportions with the peso.

SEC. 66. That the silver peso and its subdivisions shall contain devices to be prescribed by the government of the Philippine Islands, which shall express or symbolize the sovereignty of the United States, the fact that the coins are issued for use in the Philippine Islands, the denominations of the coins, and the date of their coinage.

SEC. 67. That the silver peso and the other silver coins issued under authority of this act shall be legal tender in the Philippine Islands for all debts, public and private, except where otherwise expressly stipulated in the contract, at the rate of 2 pesos for \$1 of the legal gold money of the United States.

SEC. 68. That all lawful money of the United States, while maintained at parity with gold, shall be legal tender in the Philippine Islands at the rate fixed in section — of this act, for all debts, public and private: *Provided*, That for amounts under 100 pesos the silver currency of the Philippine Islands authorized by this act shall, when demanded, be paid.

SEC. 69. That the silver coins authorized under this act shall be coined under the authority of the government of the Philippine Islands, in such amounts as it may determine, with the approval of the Secretary of War of the United States, from the bullion contained in coins received for public dues as hereinafter provided, and from silver bullion produced in the United States purchased by the government of the Philippine Islands, with the approval of the Secretary of War of the United States: *Provided*, That such purchases of silver bullion may be made from the Treasury of the United States, with the approval of the Secretary of the Treasury of the United States, from the bullion purchased under the act of July 14, 1890, entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes," and held in excess of the amount required for the redemption in full of the Treasury notes issued under the provisions of said act; and such bullion may be sold to the government of the Philippine Islands at a price to be determined by the Secretary of the Treasury of the United States, not less than the average market price for the fiscal year 1900.

SEC. 70. That the Mexican silver pesos now in use in the Philippine Islands shall be receivable for public dues at a rate to be fixed by quarterly proclamation of the civil governor of said islands until such date, not earlier than the 31st day of December, 1903, as may be fixed by public proclamation of said civil governor, when such coins shall cease to be receivable: *Provided*, That such proclamation last named shall be issued and printed in at least two daily newspapers published in the city of Manila at least sixty days before the date on which such coins cease to be receivable: *And provided further*, That the public offices of the government of the Philippine Islands may at any time refuse to receive such coins which appear to be counterfeit or defective.

SEC. 71. That the silver pesos and subsidiary silver coins issued under authority of the Spanish Government for use in the Philippine Islands shall be receivable for public dues at a rate to be fixed by public proclamation of the civil governor, when such coins shall cease to be receivable, subject to the same provisions as those prescribed for the redemption of Mexican pesos under section 7 of this act.

SEC. 72. That the Philippine government is authorized to issue minor coins of the denomination of 1 centavo and 5 centavos, and such minor coins shall be legal tender in the Philippine Islands for amounts not exceeding 10 pesos. The alloy for the pieces of 5 centavos shall be of copper and nickel, to be composed of three-fourths copper and one-fourth nickel. The alloy of the piece of 1 centavo shall be 95 per cent of copper and 5 per cent of tin and zinc, in such proportions as shall be determined by the government of the Philippine Islands. The weight of the piece of 5 centavos shall be 77.16 grains troy, and of the piece of 1 centavo 72 grains.

SEC. 73. That for the purchase of metal for the minor coinage authorized by this act an appropriation may be made by the government of the Philippine Islands from its current funds, which shall be reimbursed from the proceeds of the coinage executed under said section; but the amount of the gain or seigniorage arising from the coinage of such minor coins shall be credited and paid into the currency reserve fund.

SEC. 74. That the coinage authorized under this act may be executed at the mint of the government of the Philippine Islands at Manila, or arrangements may be made by the government of the Philippine Islands with the Secretary of the Treasury of the United States for the execution of such coinage at the mints of the United States at a charge covering the reasonable cost of the work.

SEC. 75. That the profit or seigniorage arising from the coinage under this act shall be set aside as a special fund, to be known as the currency reserve fund, and shall be employed in maintaining the parity of the silver coins issued under this act with the gold money of the United States. Such fund shall be converted as far as practicable into gold, but may be kept in part in the Treasury of the United States or in any national bank of the United States approved by the government of the Philippine Islands and furnishing securities acceptable to it.

SEC. 76. That the government of the Philippine Islands is authorized and directed to maintain at all times the parity of the silver coins issued under this act with the gold money of the United States, and for this purpose may, in its discretion—

First. Pay gold coin for silver coin.

Second. Pay silver coin for gold coin.

Third. Sell drafts on its deposits in the United States at a reasonable rate, not exceeding the usual cost of exchange.

Fourth. Transfer any form of money from the current funds of the Philippine government to the currency reserve fund.

Fifth. Issue temporary certificates of indebtedness, bearing interest at a reasonable rate, payable at periods of three months or more, but not later than one year, from the date of issue, which shall be in the denomination of \$50 or 100 pesos, or some multiple of such sum, and shall be redeemable in gold coin of the United States or in lawful money of the Philippine Islands



according to the terms of issue prescribed by the government of the Philippine Islands; but the amount of such certificates outstanding at any one time shall not exceed \$5,000,000.

Sixth. Buy gold coin or bullion at a cost not exceeding reasonable charges for its importation into the Philippine Islands.

SEC. 77. That the proceeds in money or bullion derived from any of the operations authorized by section — of this act shall be deposited in the treasury of the government of the Philippine Islands to the credit of the currency reserve fund; but such deposits shall be transferred to the current funds of the treasury of the Philippine Islands when in the judgment of the government of the Philippine Islands they are no longer required in the currency reserve fund for maintaining the parity of Philippine silver coin with the legal gold coin of the United States: *Provided*, That the money and bullion contained in the currency reserve fund shall never be reduced below the combined amount of the profit arising from the coinage authorized by this act and the proceeds of the sale of drafts upon the United States, except for expenses connected with the transfer of funds and the purchase of gold.

SEC. 78. That the treasurer of the Philippine Islands is hereby authorized, in his discretion, to receive deposits of the silver coin authorized by this act to be coined at the treasury of the government of the Philippine Islands or any of its branches in sums of not less than \$20, and to issue silver certificates therefor in denominations of not less than \$5, and coin so deposited shall be retained in the treasury and held for the payment of such certificates on demand, and used for no other purpose. Such certificates shall be receivable for customs, taxes, and all public dues, and when so received may be reissued, and when held by any banking association may be counted as a part of its lawful cash reserve.

SEC. 79. That the Secretary of the Treasury, the Comptroller of the Currency, and the Director of the Mint of the United States are hereby authorized and directed, when requested by the government of the Philippine Islands, to make and prepare any drawings, designs, and plates, and execute any coinage, engraving, or printing of notes and certificates authorized by this act, and to make a proper charge for the same, covering as nearly as may be the actual cost, which shall be defrayed from the revenues of the Philippine Islands.

SEC. 80. That all the acts or parts of acts inconsistent with the provisions of this act, and all provisions of law in force in the Philippine Islands making any form of money legal tender after December 31, 1901, except as provided in this act, are hereby repealed.

SEC. 81. That the government of the Philippine Islands shall have the power to make all necessary appropriations and all proper regulations for the redemption and reissue of worn or defective coins and for carrying out all other provisions of this act relating to coinage.

#### THE REGULATION OF BANKING.

SEC. 82. That no person, firm, association, or corporation shall be permitted to conduct a banking business or to establish or maintain a branch bank in the Philippine Islands after the 30th day of June, 1902, without a license in writing granted by the government of the Philippine Islands. Such license shall be granted, in the discretion of the government of the Philippine Islands, upon application in writing, setting forth the names and domicile of the applicants proposing to do a banking business; the nature of the business, the amount of capital proposed to be employed, and such other particulars as may be required by said government, and said license may be revoked at any time.

SEC. 83. That the provisions of section 5243 of the Revised Statutes of the United States prohibiting the use of the word "national" in the title of any bank not incorporated under the national-bank act of the United States are hereby made applicable to the Philippine Islands.

SEC. 84. That all persons, firms, associations, or corporations engaged in the business of banking in the Philippine Islands shall comply with all regulations which may be prescribed by the government of the Philippine Islands; and full power is hereby conferred upon said government of the Philippine Islands to frame regulations regarding the business of any bank and to appoint a receiver for winding up its affairs when, in the judgment of said government, such course is justified, and to impose and enforce proper penalties for failure to comply with such regulations and with the authorized acts of said government.

SEC. 85. That the government of the Philippine Islands may appoint a suitable person or persons, who may be the same as the person designated by the Comptroller of the Currency for the examination of national banks in the Philippine Islands, which person shall have the power to make thorough examination from time to time into all the affairs of persons, firms, associations, or corporations engaged in the business of banking in the Philippine Islands, and in so doing to examine any of the officers and agents of such banks under oath, and who shall make a full and detailed report of their condition to the government of the Philippine Islands.

SEC. 86. That all laws relative to national banking associations shall, so far as they are applicable, have the same force and effect in the Philippine Islands as in the United States, subject to the provisions and limitations of this act; and the provisions of section 5146 of the Revised Statutes are hereby amended so that any resident of the Philippine Islands otherwise qualified may lawfully act as director of a national bank established or having branches in said islands, and no other qualifications shall be required as to residence except that a majority of the board of directors of any such national bank shall be citizens of the United States or natives of the Philippine Islands, or persons who have, under and by virtue of the treaty of Paris, acquired the political rights of natives of the Philippine Islands; but applications for the incorporation of national banks in the Philippine Islands shall first have the approval of the government of the Philippine Islands before being approved by the Comptroller of the Currency of the United States.

SEC. 87. That the national banks established in the Philippine Islands under authority of section — of this act and national banks of the United States shall have authority, with the approval of the government of the Philippine Islands, to establish branches in any part of said islands, and, with the approval of the Comptroller of the Currency of the United States, to establish branches in reserved cities of the United States: *Provided*, That such branches, when established in the United States, shall not discount commercial bills or make advances upon securities when such transactions are wholly carried on within the United States.

SEC. 88. That circulating notes may be issued in the Philippine Islands by any national bank established under the provisions of this act or having branches in the Philippine Islands, subject to the approval in writing of the government of the Philippine Islands and of the Comptroller of the Currency of the United States, and under the conditions and limitations of the national-bank act as modified by this act: *Provided*, That no bank now existing, and no national bank hereafter established in the Philippine Islands, shall be authorized to issue circulating notes of any class or classes.

SEC. 89. That circulating notes may be issued by the Comptroller of the Currency of the United States to any national bank established or having branches in the Philippine Islands to the amount of 50 per cent of the paid-up and unimpaired capital of the issuing bank without any deposit of United States bonds, as required by the national-bank act: *Provided*, That nothing in this act shall be construed as repealing the requirements of section 5159 of

the Revised Statutes, as amended by section 8 of the act of July 12, 1882, entitled "An act," etc., that certain deposits of United States bonds with the Treasurer of the United States shall be required as preliminary to the commencement of the banking business, but such bonds may, in the discretion of the Treasurer of the United States, be deposited to his order in the treasury of the Philippine Islands, and shall be held as a part of the security for circulating notes in the same manner as provided by the national-bank act: *And provided further*, That circulating notes issued under this act and not secured in full by the deposit of United States bonds with the Treasurer of the United States shall not be paid out or be put in circulation by any bank except in the Philippine Islands, shall bear distinctive language and devices, to be prescribed by the Comptroller of the Currency of the United States, with the approval of the government of the Philippine Islands, and shall have a first lien upon all the assets of the issuing bank over all other claims except authorized deposits of officers of the United States and of the government of the Philippine Islands, and except bonds deposited with the Treasurer of the United States as specific security for additional circulating notes.

SEC. 90. That upon all outstanding circulating notes issued under the provisions of this act there shall be paid a tax equal, as nearly as may be, to one-half of 1 per cent per annum during the period for which such notes may be in circulation. Said taxes shall be levied under regulations prescribed by the Comptroller of the Currency and shall be assessed by the Treasurer of the United States. Such regulations shall provide for the assessment of the tax upon notes actually in circulation outside the issuing bank at convenient dates, not less than four in any month, as fixed by the Comptroller of the Currency, and said Comptroller may prescribe and require from any banking association making application for circulation under this act such periodical or other reports as he may deem desirable for determining the condition of the bank.

SEC. 91. That the tax upon circulation authorized by this act may be collected by the Treasurer of the United States from any funds or money in the Treasury to the credit of the bank upon which such taxes are assessed, and a fine not exceeding \$500 may be imposed by the Comptroller of the Currency upon any bank failing for one month after notice by the Treasurer of the United States to restore such funds or money to the amounts required by law, and the continued neglect of any bank to pay such taxes or fines or restore such moneys shall be, in the discretion of said Comptroller of the Currency, sufficient ground for the appointment of a receiver for such bank.

SEC. 92. That the proceeds of the taxes herein prescribed shall constitute a fund to be known as the "bank-note guaranty fund of the Philippine Islands," and such fund shall not be reduced or impaired except for the purpose of redeeming the circulating notes of failed banks, as hereinafter prescribed.

SEC. 93. That whenever the Comptroller of the Currency shall have become satisfied by the protest or the waiver and admission specified in section 5226 or by the report provided for in section 5227 of the Revised Statutes of the United States that any banking association doing business in the Philippine Islands has refused to pay its circulating notes on demand in lawful money, he shall direct the redemption of such notes from the bank-note guaranty fund aforesaid, and such notes shall thereupon be so redeemed. The Comptroller of the Currency shall collect for the benefit of said fund, from the assets of the bank and from the stockholders thereof, such sum as shall equal the amount of its circulating notes outstanding; and for the purposes of this section all provisions of the national-bank act relating to the issue and redemption of circulating notes and proceedings against failed banks for failure to pay such notes, except the duplicate liability of stockholders, shall be applicable to any bank issuing circulating notes in the Philippine Islands.

SEC. 94. That whenever the Comptroller of the Currency has sold at public auction, under the provisions of section 5230 of the Revised Statutes of the United States, the United States bonds held to secure the currency notes of any failed bank issued under the provisions of the national-bank act, any excess in the amount received for said bonds above their par value shall be applied to the payment of the outstanding circulating notes of said bank issued under the provisions of this act, and for this purpose the United States shall have a paramount lien upon any such excess, but any further excess above the amount required for this purpose shall be covered into the general assets of the bank.

SEC. 95. That any banking association desiring to withdraw from circulation any of its circulating notes issued under the provisions of this act may transmit the same to the Treasurer of the United States for cancellation, or may pay into the Treasury in lawful money of the United States or of the Philippine Islands an amount equal to the amount of the notes to be withdrawn, in the manner prescribed by sections 5222, 5224, and 5225 of the Revised Statutes of the United States. The taxes upon such circulating notes thus withdrawn from circulation shall thereupon cease, and the Comptroller of the Currency shall redeem them from time to time, as said notes are received for redemption, from the amounts paid into the Treasury as hereinbefore prescribed.

SEC. 96. That any bank issuing circulating notes in the Philippine Islands shall at all times keep on hand, at its head office or its branches in the Philippine Islands, a reserve equal in amount to 25 per cent of the amount of said notes outstanding, which reserve shall be in lawful money of the Philippine Islands or of the United States, or both: *Provided*, That one-half of such reserve may be kept in first-class bills of exchange drawn upon the United States or upon foreign countries and payable in gold, or on deposits in some other bank or banks approved by the government of the Philippine Islands: *And provided further*, That no reserve against circulation shall be required to be kept at the branches of national banks having their head offices in the United States when no notes of said banks are paid out by them at said branches.

SEC. 97. That any bank doing business in the Philippine Islands which fails to have on hand at the close of any month the legal reserve against circulation required by section 11 of this act shall pay into the treasury of the Philippine Islands a penalty of one-quarter of 1 per cent upon the excess of the amount of its outstanding circulating notes above four times such legal reserve, and the proceeds of such payments shall be added to the bank-note guaranty fund hereinbefore provided for.

SEC. 98. That banking associations taking out circulating notes under the provisions of this act shall, in addition to the bank-note guaranty fund, deposit and maintain in the Treasury of the United States a fund of 5 per cent of their outstanding notes, subject to the laws governing the redemption fund held under existing law for the current redemption of currency notes issued under the provisions of the national-bank act.

SEC. 99. That all provisions of existing law regarding the issue of national currency notes and the manner of dealing with redeemed, mutilated, or incomplete currency notes, and all such provisions relating to the redemption of currency notes of liquidating banks, shall be applicable, so far as they are not inconsistent with the provisions of this act, to the circulating notes herein provided for, and all powers granted by existing law to the Comptroller of the Currency and to the Treasurer of the United States in regard to the issue of currency notes to national banks, the collection of taxes, and the infliction of penalties for noncompliance with law are hereby extended to such officers in respect to the circulating notes issued under the provisions of this act, so



far as such powers are not inconsistent with other provisions of this act; and all judicial processes authorized by existing law in regard to national currency notes issued to national banks are hereby extended, so far as they are applicable, to circulating notes issued under the provisions of this act.

SEC. 100. That the Treasurer of the United States and Comptroller of the Currency are hereby authorized, with the approval of the Secretary of the Treasury, to make all proper arrangements with the government of the Philippine Islands for the designation of any financial officer of said government as the agent and lawful representative of said Treasurer and Comptroller for the purpose of carrying on transactions in relation to the issue and redemption of circulating notes in the Philippine Islands and the keeping of the several funds, in whole or in part, relating to such notes which are required by this act to be deposited with the Treasurer of the United States, and such officer so designated is hereby authorized to act as such agent and representative of said Treasurer and said Comptroller.

SEC. 101. That it shall not be lawful for any bank accepting deposits to establish branches or for any bank to issue circulating notes under authority of this act unless said bank has a paid-up and unimpaired capital not less in amount than \$500,000.

SEC. 102. That no circulating notes shall be issued by any bank in the Philippine Islands for a less denomination than 5 pesos or \$2.50, and the amount of the notes outstanding below the denominations of 20 pesos or \$10 shall not exceed 50 per cent of the maximum amount of its authorized circulation.

SEC. 103. That the Spanish-Filipino Bank shall be required to comply, on or before December 31, 1902, with all the requirements of this act in regard to the issue of circulating notes, except that the amount of such notes outstanding may be equal to the entire paid-up and unimpaired capital of the bank without any deposit of United States bonds to secure circulation, as required by the national-bank act; and said bank may exclude from the limit of its authorized circulation all or any part of its notes issued prior to the year 1884 and now outstanding: *Provided*, That such notes when redeemed shall be canceled and retired and not reissued and that said bank shall pay into the treasury of the Philippine Islands 50 per cent of the face value of such issues so excluded, which sum shall constitute an obligation of said treasury to said bank, to be repaid from time to time to the amount of 50 per cent of such notes when redeemed by said bank and presented and surrendered to said treasury of the Philippine Islands: *And provided further*, That in case of the failure or the liquidation of the said Spanish-Filipino Bank, any money thus transferred to the treasury of the Philippine Islands and not previously repaid shall be paid to the receiver or authorized liquidators for the benefit of the creditors of said bank.

SEC. 104. That the Secretary of the Treasury and the Comptroller of the Currency of the United States are hereby authorized and directed, when requested by the government of the Philippine Islands, to make and prepare any drawings, designs, and plates, and execute any engraving or printing of notes and certificates authorized by this act, and to make a proper charge for the same in accordance with the provisions of the national-bank act or other regulations to be framed by the Secretary of the Treasury.

SEC. 105. That none of the bank notes authorized by this act to be issued in the Philippine Islands, or which may be in circulation under existing law, shall be legal tender for debt, unless expressly stipulated in the contract; but such notes may be received for public dues, in the discretion of the government of the Philippine Islands, only when and so long as they are deemed on demand at their face value by the issuing bank in the lawful money of the Philippine Islands or of the United States.

SEC. 106. That banks for the exclusive purposes of making loans upon land and buildings, secured by mortgage, and for making loans upon agricultural products, may be organized in the Philippine Islands, with the approval of the government of said islands, and may issue and sell, from time to time, bonds for the amount of their loans in excess of their capital: *Provided*, That no such bank shall be authorized which shall not have at the time of beginning business a paid-up and unimpaired capital not less in amount than \$250,000; that such banks shall not loan more than 10 per cent of its aggregate resources to any one person, firm, association, or corporation; that such bank shall not loan upon any piece of real estate or agricultural property more than one-third the market value of such property, as determined under regulations to be framed by the government of the Philippine Islands; that such bank shall not loan more than one-third of its aggregate resources upon the security of building lots or buildings in municipalities having a population of more than 10,000; and that such bank shall be subject to such visitations and inspection and shall make such reports and comply in all respects with such regulations as may be required or imposed by the government of the Philippine Islands.

SEC. 107. That any bank authorized to do business in the Philippine Islands and having a capital not less in amount than \$1,000,000, may, with the approval of the government of the Philippine Islands, devote an amount not exceeding one-fourth part of its capital to the class of loans secured by mortgage, and loans upon agricultural products, described in the next preceding section of this act, subject to the conditions and restrictions therein provided; and the limitations imposed in said section upon the business of a bank devoted exclusively to loans secured by mortgage and loans upon agricultural products shall apply to the portion of its capital set aside by any other bank for such classes of business.

SEC. 108. That the Treasury of the United States is hereby authorized to receive deposits in money from the government of the Philippine Islands, and to transfer funds, draw and accept checks, drafts, and transfers, and to perform any other financial operations on behalf of the said government of the Philippine Islands which may be agreed upon between said government and the Secretary of the Treasury; but nothing in this section shall be construed to permit the expenditure of the funds of the United States for meeting the obligations of the government of the Philippine Islands.

SEC. 109. That the treasury of the government of the Philippine Islands and its branches, and such banking associations and their branches in the Philippine Islands as may be designated by the Secretary of War of the United States, shall be depositories of public money, subject to the provisions of existing law governing such depositories in the United States: *Provided*, That the treasury of the government of the Philippine Islands shall not be required to deposit bonds in the Treasury of the United States or to give other specific securities for the safe-keeping of public money except as prescribed, in his discretion, by the Secretary of War.

And to insert in lieu thereof the following:

SEC. 78. That the Philippine government is hereby authorized to establish a mint at the city of Manila, in the Philippine Islands, for coinage purposes, and the coins hereinafter authorized may be coined at said mint. And the said government is hereby authorized to enact laws necessary for such establishment: *Provided*, That the laws of the United States relating to mints and coinage, so far as applicable, are hereby extended to the coinage of said islands.

SEC. 79. That the said Philippine government is authorized to coin a silver dollar, which shall contain 416 grains of standard silver, and the standard of said silver coins shall be such that of 1,000 parts by weight 900 shall be of pure metal and 100 of alloy, and the alloy shall be of copper. And upon the said

silver dollar there shall be devices and inscriptions to be prescribed by the government of the Philippine Islands, with the approval of the Secretary of War of the United States, which devices and inscriptions shall express or symbolize the sovereignty of the United States and that it is a coin of the Philippine Islands, together with the denomination of the coin expressed in English, Filipino, and Chinese characters, and the date of its coinage.

SEC. 80. That any owner of silver bullion may deposit the same at the mint in the Philippine Islands, to be coined as hereinbefore provided. Silver bullion brought to the mint of the Philippine Islands for coinage shall be received and coined by the proper officers for the benefit of the depositor: *Provided*, That it shall be lawful to refuse at the mint any deposit of less than \$100, and also any bullion so base as to be unsuitable for the operations of the mint: *And provided also*, That when gold is combined with said bullion in such small proportion that it can not be separated advantageously no allowance shall be made for such gold to the depositor.

SEC. 81. That when bullion is brought to the mint for coinage it shall be weighed by the treasurer in the presence of the depositor, when practicable, and a receipt given, which shall state the description and weight of the bullion: *Provided*, That when the bullion is in such a state as to require melting before the true weight in silver can be ascertained, the weight after melting shall be considered as the true weight of the bullion deposited.

SEC. 82. That there shall be charged to the depositor by the mint for such coinage 1 cent for each dollar coined, and the amount received from these charges shall be accounted for and appropriated toward defraying the expense of coining and the contingent expenses of the mint.

SEC. 83. That the dollar hereinbefore authorized may be coined at the mint of the United States at San Francisco, in California, upon the request of the government of the Philippine Islands, with the approval of the Secretary of the Treasury of the United States, and the owners of silver bullion may deposit the same for coinage at such mint under regulations to be made by the Secretary of the Treasury of the United States as respects deposits, coinage, and transfer to the Philippine Islands, and a charge shall be made therefor at the rate of 1 cent for each dollar coined and the cost of transfer to the Philippine Islands in addition thereto: *Provided*, That such deposits at the San Francisco mint shall be confined to silver produced in the United States.

SEC. 84. That the Philippine government is also authorized to coin, for use in the Philippine Islands, a coin of the denomination of 50 cents and of the weight of 192.9 grains, a coin of the denomination of 20 cents and of the weight of 77.16 grains, and a coin of the denomination of 10 cents and of the weight of 38.58 grains; and the standard of said silver coins shall be such that of 1,000 parts by weight 900 shall be of pure metal and 100 of alloy, and the alloy shall be of copper.

SEC. 85. That the subsidiary silver coins authorized by the preceding section shall be coined under the authority of the government of the Philippine Islands in such amounts as it may determine, with the approval of the Secretary of War of the United States, from silver bullion purchased by the government of the Philippine Islands, with the approval of the Secretary of War of the United States: *Provided*, That the Philippine government may in addition and its discretion recoin the Spanish Filipino dollars and subsidiary silver coins issued under the authority of the Spanish Government for use in the Philippine Islands into the subsidiary coins provided for in the preceding section at such rate and under such regulations as it may prescribe.

SEC. 86. That the silver dollar issued under authority of this act shall be legal tender in the Philippine Islands for all debts, public and private, except where otherwise provided by law or expressly stipulated in the contract, and the subsidiary silver coins authorized by this act shall be legal tender in the Philippine Islands to the amount of \$10.

SEC. 87. That the Philippine government is also authorized to issue minor coins of the denominations of one-half cent, 1 cent, and 5 cents, and such minor coins shall be legal tender in the Philippine Islands for amounts not exceeding \$1. The alloy of the 5-cent piece shall be of copper and nickel, to be composed of three-fourths copper and one-fourth nickel. The alloy of the 1-cent and one-half-cent pieces shall be 95 per centum of copper and 5 per centum of tin and zinc in such proportions as shall be determined by the government of the Philippine Islands. The weight of the 5-cent piece shall be 77 and sixteen-hundredths grains troy, and of the 1-cent piece 80 grains troy, and of the one-half-cent piece 40 grains troy.

SEC. 88. That for the purchase of metal for the subsidiary and minor coinage, authorized by sections 84 and 87, an appropriation may be made by the government of the Philippine Islands from its current funds, which shall be reimbursed from the coinage under said sections; and the gain or seigniorage arising therefrom shall be paid into the treasury of the Philippine Islands.

SEC. 89. That the subsidiary and minor coinage hereinbefore authorized may be coined at the mint of the government of the Philippine Islands at Manila, or arrangements may be made by the said government with the Secretary of the Treasury of the United States for their coinage at any of the mints of the United States, at a charge covering the reasonable cost of the work.

SEC. 90. That the treasurer of the Philippine Islands is hereby authorized, in his discretion, to receive deposits of the silver dollars authorized by this act at the treasury of the government of the Philippine Islands or any of its branches in sums of not less than \$20, and to issue silver certificates therefor in denominations of not less than \$10, and the coin so deposited shall be retained in the Philippine treasury and held for the payment of such certificates on demand, and used for no other purpose. Such certificates shall be receivable in the Philippine Islands for customs, taxes, and all public dues, unless otherwise provided by law, and when so received may be reissued.

SEC. 91. That the Secretary of the Treasury of the United States is hereby authorized, when requested by the government of the Philippine Islands, to make and prepare any drawings, designs, and plates, and execute any engraving or printing of certificates authorized by the preceding section, and to make a proper charge for the same, covering as nearly as may be the actual cost, which shall be defrayed from the revenues of the Philippine Islands.

SEC. 92. That all provisions of law in force in the Philippine Islands making any form of money legal tender after December 31, 1905, except as provided in this act, are hereby repealed.

SEC. 93. That the government of the Philippine Islands shall have the power to make all necessary appropriations and all proper regulations for the redemption and reissue of worn or defective coins and for carrying out all other provisions of this act relating to coinage.

At the conclusion of the reading of section 79 of the proposed amendment,

Mr. WELLINGTON said: I ask that that section go over, Mr. President.

Mr. LODGE. I will say to the Senator from Maryland that all these sections form but one amendment.

The PRESIDENT pro tempore. Is there objection—

Mr. WELLINGTON. I was alluding to the section in reference to the coinage of the silver dollar.

Mr. LODGE. Of course the whole thing will be afterwards



open to amendment, and may be discussed just the same as if the amendment had not been adopted. I only want to have the bill printed as amended.

Mr. WELLINGTON. I want to reserve the right to amend the amendment.

Mr. LODGE. Certainly; the Senator will have the right to reserve any amendment now agreed to.

The PRESIDENT pro tempore. The Chair desires to understand that. Is it understood that any of the committee amendments which are adopted as in Committee of the Whole will again be open to amendment as in Committee of the Whole?

Mr. LODGE. Certainly.

The PRESIDENT pro tempore. That is the understanding?

Mr. LODGE. That is the understanding.

The PRESIDENT pro tempore. The Chair, then, will recognize that as the understanding of the Senate; otherwise the amendments could only be again amended after the bill had been reported to the Senate from the Committee of the Whole.

Mr. LODGE. I understand that.

Mr. WELLINGTON. That is also my understanding of it.

Mr. LODGE. My desire was that the amendments in any part, after adoption, should be open to amendment by the Senate as in Committee of the Whole.

The PRESIDENT pro tempore. The Chair now so understands it. The question is on agreeing to the amendment, which has been read.

The amendment was agreed to.

The reading of the bill was concluded.

The PRESIDENT pro tempore. The clerks inform the Chair that two amendments have been passed over.

Mr. LODGE. Yes.

The PRESIDENT pro tempore. Is there any object in passing them over, providing the amendments are all to be subject to amendment as in Committee of the Whole?

Mr. RAWLINS. Under that arrangement, there is no objection to the amendments which have been passed over being adopted, with the right reserved to further amend them.

The PRESIDENT pro tempore. It occurred to the Chair that, as it has been agreed that all the amendments will be open to amendment as in Committee of the Whole, it would be just as well to have the amendments, which have been passed over, agreed to now.

Mr. RAWLINS. Yes.

Mr. LODGE. That will cover three sections—5, 6, and 7. It is really one amendment.

The PRESIDENT pro tempore. The amendment will be regarded as agreed to. As under the arrangement made the bill can be further amended, all the amendments will be open to amendment, as in Committee of the Whole, as if they were part of the original text.

Mr. LODGE. The whole bill as amended will be open to amendment as in Committee of the Whole.

The PRESIDENT pro tempore. That is the understanding of the Chair.

Mr. LODGE. The amendment to section 10 was passed over, and I ask that it may be considered as agreed to.

The PRESIDENT pro tempore. The amendment will be agreed to, in the absence of objection. The Chair hears no objection, and it is agreed to.

Mr. LODGE. Now, I ask that the bill as it has been amended may be reprinted.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and that order is made.

Mr. RAWLINS. Mr. President, I offer a series of amendments to the bill, which I ask to have read and printed.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to amend said bill as follows:

Amendments intended to be proposed by Mr. RAWLINS to the bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes, viz:

Strike out section 1 and insert in lieu thereof the following:

"That the executive power of the Philippine Islands shall be vested in a governor, to be appointed by the President, by and with the advice and consent of the Senate, who shall reside therein and hold his office during the term of three years, unless sooner removed by the President of the United States. He shall be commander in chief of the militia of said islands; shall have power to grant pardons for offenses against the said islands, and reprieves for those against the United States, until the decision of the President of the United States thereon shall be made known; and to appoint and commission all officers, civil and of the militia, whose appointments are not herein otherwise provided for, and which shall be established by law. He shall take care that the laws be faithfully executed.

"A secretary of the islands shall also be appointed, who shall hold his office during the term of four years, unless sooner removed by the President of the United States, whose duty it shall be, under the direction of the governor, to record and preserve all the papers and proceedings of the executive and all the acts of the governor and legislative council, and transmit authentic copies of the proceedings of the governor, in his executive department, every six months to the President of the United States. In case of the

vacancy of the office of governor, the government of said territory shall devolve on the secretary.

"The legislative powers shall be vested in the governor and in 13 of the most fit and discreet persons of the islands, to be called the legislative council, who shall be appointed annually by the President of the United States from among those holding real estate therein, and who shall have resided one year at least in the said territory and hold no office of profit under the islands or the United States. The governor, by and with the advice and consent of the said legislative council, or a majority of them, shall have power to alter, modify, or repeal the laws which may be in force at the commencement of this act. Their legislative powers shall also extend to all the rightful subjects of legislation; but no law shall be valid which is inconsistent with the Constitution and laws of the United States, or which shall lay any person under restraint, burden, or disability on account of his religious opinions, professions, or worship, in all which he shall be free to maintain his own and not be burdened for those of another.

"The governor shall publish throughout the said territory all the laws which shall be made, and shall from time to time report the same to the President of the United States, to be laid before Congress, which, if disapproved by Congress, shall thenceforth be of no force. The governor or legislative council shall have no power over the primary disposal of the soil, or tax the property of nonresidents higher than that of residents, or make any regulation of commerce which shall discriminate between the islands of said archipelago or the ports thereof, or pass any special act creating a corporation, or conferring any right, privilege, or franchise; but said governor and legislative council may pass general laws under which, upon equal terms, corporations may be organized, and such rights, privileges, or franchises may be obtained subject to the authority of Congress or the legislature of said islands to alter, amend, or repeal the same.

"The governor shall convene and prorogue the legislative council whenever he may deem it expedient. It shall be his duty to obtain all the information in his power in relation to the customs, habits, and dispositions of the inhabitants of the said territory and communicate the same from time to time to the President of the United States."

Strike out section 2 and insert in lieu thereof the following:

"The judicial power in said archipelago shall be vested in a supreme court, courts of first instance, and municipal courts. The chief justice and the associate justices of the supreme court and the judges of the courts of first instance shall be appointed by the President, by and with the advice and consent of the Senate, and their respective terms of office shall be four years and until their successors are appointed and qualified, unless sooner removed by the President: *Provided*, That such inferior courts as may be deemed necessary may be established by the authority of the legislature, but whose jurisdiction shall not extend to any case involving the title to real estate, or in which the thing in controversy exceeds in value the sum of \$100."

Insert after the word "homes," in line 18, page 4, the following:

"Also the number of deaths which have occurred in said islands since the 1st day of January, 1899, and the causes thereof, and the character and value of property destroyed since said date."

Strike out section 8.

Strike out section 11 and insert in lieu thereof the following:

"The public land laws of the United States are hereby extended and made applicable to the said archipelago, and citizens of the United States or of said archipelago may make entry thereof and obtain title thereto in accordance with the provisions of said laws, and the United States Philippine Commission is hereby authorized to make rules and regulations not inconsistent with the provisions of said laws to carry the same into effect."

Strike out sections 13, 14, and 15.

Strike out section 67 and insert in lieu thereof the following:

"That the jurisdiction of the several courts herein provided for, both appellate and original, shall be limited by law. Writs of error, bills of exception, and appeals shall be allowed in all cases from the final decisions of said courts of first instance to the supreme court, under such regulations as may be prescribed by law."

"Writs of error and appeals from the final decisions of said supreme court shall be allowed and may be taken to the Supreme Court of the United States in the same manner and under the same regulations as from Territorial supreme courts where the value of the property or amount in controversy, to be ascertained by the oath or affirmation of either party or other competent witnesses, shall exceed \$5,000; except that a writ of error or appeal shall be allowed to the Supreme Court of the United States from the decision of said supreme court created by this act in cases involving the Constitution or any statute or treaty of the United States, or any right, privilege, or immunity claimed thereunder; and except that a writ of error or appeal shall be allowed to the Supreme Court of the United States from the decision of said supreme court, or of the court of first instance or any judge thereof, upon any writ of habeas corpus involving the question of personal freedom. And each of said courts of first instance shall have and exercise the same jurisdiction in all cases arising under the Constitution and laws of the United States as is vested in the circuit and district courts of the United States, and writs of error and appeal in all such cases shall be made to the supreme court of said archipelago, the same as in other cases."

Strike out section 95 and insert in lieu thereof the following:

"That so much of the act entitled 'An act making appropriations for the support of the Army for the fiscal year ending June 30, 1902,' as vested all military, civil, and judicial powers necessary to govern the Philippine Islands in such person and persons and to be exercised in such manner as the President of the United States shall direct, and all other acts and parts of acts inconsistent with this act, are hereby repealed."

The PRESIDENT pro tempore. The amendments will be printed and lie upon the table.

Mr. LODGE. I should like to ask the Senator from Utah a question in regard to those amendments. As I understand, those amendments are not in the nature of a substitute.

Mr. RAWLINS. No; they are separate amendments.

Mr. LODGE. A series of amendments to different parts of the bill.

Mr. RAWLINS. Yes; a series of amendments.

I now offer, in behalf of the minority of the Committee on the Philippines, the amendment which I send to the desk, in the nature of a substitute, which I ask to have read.

The PRESIDENT pro tempore. The amendment will be stated.

Mr. LODGE. Is that the amendment already printed in the report of the committee?

Mr. RAWLINS. Yes; but I want it printed in the RECORD.

Mr. LODGE. Does the Senator want it read now?

Mr. RAWLINS. Yes; I want it read, so as to go into the RECORD.

The PRESIDENT pro tempore. The amendment intended to be proposed by the Senator from Utah [Mr. RAWLINS] will be read. The SECRETARY. It is proposed to strike out all after the enacting clause of the bill and insert:

SEC. 1. That, subject to the provisions hereinafter set forth, the United States of America hereby relinquish all claim of sovereignty over and title to the archipelago known as the Philippine Islands.

SEC. 2. That the United States shall continue to occupy and govern said archipelago until the people thereof have established a government, and until sufficient guaranties have been obtained for the performance of our treaty obligations with Spain and for the safety of those inhabitants who have adhered to the United States, and for the maintenance and protection of all rights which have accrued under the authority thereof, as hereinafter provided.

SEC. 3. That ninety days after the President of the United States shall have proclaimed that all armed resistance to the United States has ceased in said archipelago the United States Philippine Commission shall make and promulgate rules and regulations for the holding of an election in the provinces of said archipelago for members of a convention, which convention when organized shall proceed to the adoption of a constitution for the government of said archipelago. That all male inhabitants of said archipelago 21 years of age and over who speak and write either the English or Spanish languages or any of the native languages of the said archipelago, and who shall have resided therein for one year, shall be qualified to vote for members of the convention, and any person so qualified as an elector shall be qualified to become a member of said convention. The members of the said convention shall number 300, and shall be apportioned by the United States Philippine Commission among the several provinces of said archipelago so that the distribution shall be in proportion to their population as near as may be; and when the said apportionment has been determined upon, the said commission shall by proclamation order an election of the members for said convention, to be held throughout the said archipelago at such time as shall be fixed by the said Commission, which election shall be held not more than one year from the date of the proclamation by the President of the United States heretofore provided for, and ample time shall be given before said election to circulate said proclamation throughout said archipelago and arrange for the holding of the said election.

SEC. 4. That the members of the convention thus elected shall meet at the city of Manila on a day to be fixed by the said United States Philippine Commission not more than ninety days subsequent to the day of election, the time for which meeting shall be stated in the proclamation calling attention to the election aforesaid; and after organization the said convention shall proceed to form a constitution and organize such government as they may deem best adapted to promote the welfare and secure the peace and happiness of the inhabitants of said islands: *Provided*, That said convention shall provide by an ordinance, irrevocable without the consent of the United States:

First. That there shall belong to the United States and continue to be the property thereof such lands and waters as the President of the United States shall designate to the said convention for naval, military, and coaling stations and terminal facilities for submarine cables, the same to continue under the control and sovereignty of the United States.

Second. To carry into effect the treaty obligations of the United States with the Kingdom of Spain, and for the maintenance and protection of all rights and property acquired under the authority of the United States.

Third. That no inhabitant of said archipelago shall ever be molested in person or property on account of his or her adherence to the United States.

SEC. 5. That when the constitution and government shall be formed for and by the people of said archipelago in compliance with the provisions of this act, the said United States Philippine Commission shall certify the fact to the President of the United States, together with a copy of said constitution and ordinances, whereupon it shall be the duty of the President to issue his proclamation declaring the independence of the people of said archipelago, and that they constitute an independent state and nation.

SEC. 6. That the President of the United States is hereby requested to negotiate an agreement between the United States, the said Philippine Archipelago, and Great Britain, Germany, France, and such other powers as he may deem best, providing for its perpetual neutrality and inviolability from all foreign interference, and also for equal opportunities of trade to foreign countries with said archipelago.

SEC. 7. That immediately after the President shall have proclaimed that all armed resistance to the United States has ceased in said archipelago, he is requested to proclaim full amnesty to all the inhabitants thereof for or on account of political offenses and the bearing of arms against the United States, and all Filipinos or inhabitants of said archipelago who have been deported shall be returned to the place from whence they were so deported: *Provided*, That such amnesty shall not apply to any who have violated the rules of civilized warfare or were guilty of murder or torture. That the latter, if any, shall be afforded a speedy trial for their offenses in the civil courts of said archipelago and be punished or acquitted, as the facts and law may warrant.

SEC. 8. That within sixty days from the election of officers under the constitution to be formed by the said Philippine Archipelago and the inauguration of said officers the President shall cause the armed forces of the United States to be withdrawn from said archipelago as speedily as may be, except such forces as may be maintained in such parts thereof as have been retained by the United States for naval, military, and coaling stations and terminal facilities for cables; and the President of the United States and the Secretary of War shall make all needful regulations to carry into effect the provisions of this act.

Amend the title so as to read: "A bill to promote the welfare and establish the independence of the Philippine Islands."

The PRESIDENT pro tempore. The amendment will be printed and lie upon the table.

Mr. CARMACK. I wish to offer two amendments to the pending bill, which I ask to have read and printed.

The PRESIDENT pro tempore. The amendments proposed by the Senator from Tennessee [Mr. CARMACK] will be read.

The SECRETARY. At the end of section 76 it is proposed to insert the following:

*Provided*, That it shall be unlawful for any corporation organized under this act, or for any person, company, or corporation receiving any grant, franchise, or concession from the government of the Philippine Islands, to hold persons in slavery or involuntary servitude, or to use, employ, or contract for the labor of persons so held in slavery or involuntary servitude, and any person, company, or corporation so violating the provisions of this act shall forfeit all charters, grants, franchises, and concessions for doing business in the said Philippine Islands, and in addition shall be deemed guilty of an offense, and shall be punished by a fine of not less than \$10,000.

The PRESIDENT pro tempore. The amendment will be ordered to be printed and lie upon the table. The other amendment proposed by the Senator from Tennessee will be stated.

The SECRETARY. At the end of the bill it is proposed to add the following:

That the United States regard with extreme disfavor any movement having for its object the early or ultimate admission of the Philippine Islands as a State or States of the Union; and any action on the part of persons holding office under the authority of the United States that give sanction or encouragement to such a movement is hereby condemned.

That to confer the rights and privileges of citizens upon the inhabitants of the Philippine Islands would tend to destroy the integrity of the citizenship and to degrade the character of the Government of the United States.

That to maintain the relation of sovereign and subject between the Government of the United States and a people under its dominion would be repugnant to the principles of the Constitution.

The PRESIDENT pro tempore. The amendment will be ordered to be printed, and lie upon the table.

#### CONSIDERATION OF PENSION BILLS, ETC.

Mr. GALLINGER. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside, and that thirty minutes be now devoted to the consideration of unobjected pension bills and bills to correct military records.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that unobjected pension cases and bills to correct military records may be considered for thirty minutes. Is there objection? The Chair hears none. The Chair would like to recognize the Senator from Utah [Mr. RAWLINS] to secure the consideration of a bill.

Mr. GALLINGER. The Senator from Minnesota [Mr. CLAPP] likewise has a little bill. If it does not come out of the thirty minutes, I shall be glad to yield to both Senators.

#### FISH-CULTURAL STATION IN UTAH.

Mr. RAWLINS. I ask unanimous consent for the present consideration of the bill (S. 148) to establish a fish-hatching and fish station in the State of Utah.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate \$25,000 for the establishment of a fish-cultural station in the State of Utah, including purchase of site, construction of buildings and ponds, and equipment, at some suitable point to be selected by the United States Commissioner of Fish and Fisheries.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### RED LAKE RESERVATION, MINN.

Mr. CLAPP. I ask unanimous consent for the immediate consideration of the bill (S. 4962) to ratify and confirm an agreement with the Red Lake and Pembina bands of Indians of the Red Lake Reservation, Minn., and making appropriation to carry the same into effect.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with amendments.

The first amendment of the Committee on Indian Affairs was, on page 6, section 3, after the word "agreement," in line 4, to insert "except sections 16 and 36 of each township, which are hereby granted to the State of Minnesota for school purposes;" so as to read:

SEC. 3. That the lands ceded to the United States under said agreement, except sections 16 and 36 of each township, which are hereby granted to the State of Minnesota for school purposes, shall be disposed of under the general provisions of the homestead and town-site laws of the United States, and shall be opened to settlement and entry by proclamation of the President, etc.

The amendment was agreed to.

The next amendment was, in line 25, page 6, after the word "law," to insert "shall pay said sum of \$3.90 in five annual payments in advance and;" so as to read:

And provided further, That the price of said lands shall be \$3.90 per acre, but settlers under the homestead law who shall reside upon and cultivate the land entered in good faith for the period required by existing law shall pay said sum of \$3.90 in five annual payments in advance and shall be entitled to a patent for the lands so entered.

The amendment was agreed to.

The next amendment was, on page 7, line 3, after the word "officers," to insert "the said five annual payments in advance and of the;" so as to read:

Upon the payment to the local land officers the said five annual payments in advance and of the usual and customary fee and commissions, and no other or further charge of any kind whatsoever shall be required from such settler to entitle him to a patent for the land covered by his entry.

The amendment was agreed to.

Mr. PETTUS. I desire to know whether the officers of the Government who have charge of such matters recommend the adoption of the bill?

Mr. CLAPP. Yes, sir. The report is printed.

Mr. PETTUS. I should like to hear from the principal officer of the Government having charge of the matter. I suppose it is the Secretary of the Interior.

Mr. CLAPP. Yes; there is a report from him.



Mr. PETTUS. I wish to know that he approves of it. That is the main thing.

Mr. CLAPP. I ask that that part of the report be read.

The Secretary read as follows:

The Commissioner has carefully considered the agreement and has prepared a draft of a bill to ratify and confirm the same.

I also herewith transmit a copy of a report of the Commissioner of the General Land Office, dated the 3d instant, to whom the matter was referred for report as to the disposition of the ceded lands.

The agreement meets with my approval, and I have the honor to recommend that it receive favorable action by the Congress.

Very respectfully,

E. A. HITCHCOCK, *Secretary*.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN M. SEYDEL.

The PRESIDENT pro tempore. The Secretary will state the first pension case on the Calendar.

The bill (H. R. 5695) granting an increase of pension to John M. Seydel was announced as the first bill in order on the Calendar, and the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of John M. Seydel, late of Company G, Forty-seventh Regiment Iowa Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS FINDLEY.

The bill (H. R. 2981) granting an increase of pension to Thomas Findley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Findley, late of Company K, Twenty-first Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MYRON C. BURNSIDE.

The bill (H. R. 8782) granting an increase of pension to Myron C. Burnside was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Myron C. Burnside, late of Company E, Fortieth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHMOND L. BOOKER.

The bill (H. R. 2600) granting an increase of pension to Richmond L. Booker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Richmond L. Booker, late of Company G, Twenty-first Regiment Maine Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES A. PERKINS.

The bill (H. R. 1486) granting an increase of pension to Charles A. Perkins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles A. Perkins, late of Company K, Second Regiment Missouri Mounted Volunteers, war with Mexico, and to pay him a pension of \$16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM EASTIN.

The bill (H. R. 5258) granting an increase of pension to William Eastin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Eastin, of Company D, Sixty-second Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET BAKER.

The bill (H. R. 5102) granting a pension to Margaret Baker, formerly Maggie Ralston, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with amendments, in line 6, after the word "late," to strike out "an army," and in line 7, after the word "nurse," to insert "Medical Department, United States Volunteers;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Margaret Baker, formerly Maggie Ralston, late nurse, Medical Department, United States Volunteers, and pay her a pension at the rate of \$12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

FRANCES T. ANDERSON.

The bill (H. R. 6081) granting an increase of pension to Frances T. Anderson, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, in line 10, after word "of" where it occurs the first time, to insert "each of;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances T. Anderson, widow of Robert H. Anderson, late captain, Ninth Regiment United States Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving, and \$2 per month additional on account of each of the minor children of the said Robert H. Anderson until they reach the age of 16 years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

MARIAH J. ANDERSON.

The bill (H. R. 6080) granting an increase of pension to Mariah J. Anderson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mariah J. Anderson, widow of John D. Anderson, late of Capt. Thomas J. Fripp's company, South Carolina Volunteers, Florida Indian war, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN GASTON.

The bill (H. R. 11578) granting an increase of pension to John Gaston was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Gaston, late of Company G, Second Regiment Illinois Volunteer Infantry, war with Mexico, and to pay him a pension of \$16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY J. CLARK.

The bill (H. R. 2113) granting an increase of pension to Mary J. Clark was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 3, after the word "and," to insert "he;" and in the same line, after the word "authorized," to insert "and directed;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the general pension laws, the name of Mary J. Clark, widow of William W. Clark, late of Captain Coleman's company, Georgia Mounted Volunteers, Creek Indian war, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JAMES MOORE.

The bill (H. R. 9986) granting an increase of pension to James Moore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Moore, late of Company K, One hundred and thirty-sixth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WATERS FORMING INTERNATIONAL BOUNDARIES.

Mr. MORGAN. I ask the Senator from New Hampshire to allow me to secure the passage of the joint resolution (S. R. 52) authorizing the President of the United States to invite the government of Canada to join in the formation of an international commission to examine and report upon the diversion of the waters that are the boundaries of the two countries. It is important that it shall be passed by the Senate.

Mr. GALLINGER. I yield to the Senator if it does not lead to debate.

The PRESIDENT pro tempore. If the Senator from Alabama will allow the junior Senator from Maine to make a suggestion, a provision for this commission has been inserted in the river and harbor bill in the House, and has also been reported favorably by the Senate committee, and probably it will be unnecessary to pass the joint resolution.

Mr. MORGAN. Very well.

Mr. HOAR. I should like to inquire, if I may, as the matter has come up, whether the provision retains the proposition to have us invite the government of Canada?

The PRESIDENT pro tempore. No, sir; the Government of Great Britain.

Mr. HOAR. The original resolve on the Calendar, as I called the attention of the Senate to it the other day, proposes to invite the government of Canada, and I thought it was unusual in our diplomatic relations.

The PRESIDENT pro tempore. In the river and harbor bill it is the Government of Great Britain, and in the joint resolution which the Senator from Alabama called it is also the Government of Great Britain.

Mr. HOAR. All right.

GEORGE W. GUINN.

The bill (H. R. 9999) granting an increase of pension to George W. Guinn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Guinn, late of Company H, Seventh Regiment West Virginia Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALLEN HOCKENBURY.

The bill (H. R. 11782) granting an increase of pension to Allen Hockenbury was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Allen Hockenbury, late of Company D, One hundred and forty-third Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZA J. NOBLE.

The bill (H. R. 2994) granting an increase of pension to Eliza J. Noble was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eliza J. Noble, widow of James D. Noble, late assistant surgeon, Fifty-first Regiment Pennsylvania Volunteer Infantry and acting assistant surgeon, United States Navy, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICHAEL HAYES.

The bill (H. R. 6947) to correct the record of Michael Hayes was announced the next business in order on the Calendar.

The PRESIDENT pro tempore. The bill will be passed over, it having been adversely reported.

BLANCHE DUFFY.

The bill (H. R. 10091) granting a pension to Blanche Duffy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Blanche Duffy, formerly Sister Blanche O'Brien, late a nurse in the hospital of the Sisters of Charity at St. Louis, Mo., and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT E. STEPHENS.

The bill (H. R. 6805) granting an increase of pension to Robert E. Stephens was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert E. Stephens, late of Company K, Sixth Regiment Indiana Volunteer Cavalry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DOROTHY S. WHITE.

The bill (H. R. 2241) granting an increase of pension to Dorothy S. White, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Dorothy S. White, widow of Samuel H. White, late second lieutenant Company G, One hundred and forty-fourth Regiment Ohio Volunteer Infantry, and to pay her a pension of \$15 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES AUSTIN.

The bill (H. R. 1636) granting an increase of pension to James Austin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Austin, late of Company I, Eighth Regiment Kentucky Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PERRY H. ALEXANDER.

The bill (H. R. 7369) granting an increase of pension to Perry H. Alexander was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Perry H. Alexander, late of Company G, One hundred and fifteenth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ZACHARIAH R. SAUNDERS.

The bill (H. R. 9847) granting an increase of pension to Zachariah R. Saunders was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Zachariah R. Saunders, late of Company C, Second Regiment Ohio Volunteer Infantry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ESTHER A. C. HARDEE.

The bill (H. R. 6699) granting a pension to Esther A. C. Hardee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Esther A. C. Hardee, widow of Lucius A. Hardee, late captain, First Regiment Florida Volunteer Mounted Infantry, Seminole Indian war, and to pay her a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES F. P. JOHNSTON.

The bill (H. R. 10090) granting a pension to James F. P. Johnston was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James F. P. Johnston, late captain Independent Florida Mounted Volunteers, Florida Indian war, and to pay him a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEWIS H. DELONY.

The bill (H. R. 11924) granting an increase of pension to Lewis H. Delony was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lewis H. Delony, late of Company A, Battalion Texas Volunteer Cavalry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

M. C. ROGERS.

The bill (H. R. 12697) granting a pension to M. C. Rogers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of M. C. Rogers, late a guide, United States Volunteers, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STEPHEN MAY.

The bill (H. R. 12136) granting an increase of pension to Stephen May was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Stephen May, late of Company E, First Regiment Kentucky Mounted Volunteers, war with Mexico, and to pay him a pension of \$16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REUBEN WELLMAN.

The bill (H. R. 5910) granting an increase of pension to Reuben Wellman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Reuben Wellman, late of Company G, One hundred and sixtieth Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHRISTIANA STEIGER.

The bill (H. R. 2219) granting a pension to Christiana Steiger was considered as in Committee of the Whole. It proposes to



place on the pension roll the name of Christiana Steiger, widow of John Steiger, late of Battery B, First Regiment Michigan Volunteer Light Artillery, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IDA D. GREENE.

The bill (H. R. 9018) granting a pension to Ida D. Greene was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ida D. Greene, widow of Francis E. Greene, late lieutenant-commander, United States Navy, and to pay her a pension of \$30 per month, and \$2 per month additional on account of each of the minor children of said Francis E. Greene until they reach the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM B. MATNEY.

The bill (H. R. 3264) granting an increase of pension to William B. Matney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William B. Matney, late of Company C, Fifth Regiment West Virginia Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE M'DOWELL.

The bill (S. 2461) granting an increase of pension to George W. McDowell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with amendments, in line 6, after the name "George," to strike out the letter "W," and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George McDowell, late of Company H, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to George McDowell."

PHILO F. ENGBESBY.

The bill (S. 4238) granting an increase of pension to Philo F. Englesby was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Philo F. Englesby, late of Company A, Seventh Regiment Minnesota Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN COOLEN.

The bill (S. 3279) granting a pension to John Coolen was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Coolen, late of Company B, Tenth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCES L. ACKLEY.

The bill (H. R. 9290) granting a pension to Frances L. Ackley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances L. Ackley, late a nurse in the medical department, United States Navy, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

THEODORE F. COLLINS.

The bill (H. R. 611) granting an increase of pension to Theodore F. Collins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "sixteen;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Theodore F. Collins, late of Company G, Forty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM M. HODGE.

The bill (S. 4393) granting an increase of pension to William M. Hodge was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "sixty" and insert "thirty-six;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William M. Hodge, late of Company E, One hundred and forty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES MATTHEWS.

The bill (H. R. 9415) granting an increase of pension to James Matthews was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Matthews, late of Company M, Ninth Regiment New Jersey Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHARD P. NICHUALS.

The bill (H. R. 6895) granting an increase of pension to Richard P. Nichuals was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Richard P. Nichuals, late of Company C, Seventy-first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$17 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY L. DIBERT.

The bill (H. R. 8415) granting a pension to Mary L. Dibert was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, after the word "month," to add the following proviso: "Provided, That the pension granted herein shall cease and determine upon proof that said Isaac N. Dibert is living;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary L. Dibert, the dependent mother of Isaac N. Dibert, late of Company D, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$12 per month: *Provided,* That the pension granted herein shall cease and determine upon proof that said Isaac N. Dibert is living.

Mr. GALLINGER. In line 6, before the word "dependent," I move to strike out "the."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PATRICK J. MURPHY.

The bill (S. 3321) granting a pension to Patrick J. Murphy was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Patrick J. Murphy, late of the U. S. S. *Saturn*, United States Navy, and pay him a pension at the rate of \$10 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL S. BEAVER.

The bill (S. 500) granting a pension to Samuel S. Beaver was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel S. Beaver, late of Company G, Third Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELIZA A. WALKER.

The bill (S. 3397) granting an increase of pension to Eliza A. Walker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "captain;" in line 9, before the word "dollars," to strike out "twenty-four" and insert "twenty;" and in the same line, after the word "receiving," to insert "and \$2 per month additional on account of the minor child of said Adam L. Walker until he reaches the age of 16 years;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza A. Walker, widow of Adam L. Walker, late captain Company B, Thirty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving, and \$2 per month additional on account of the minor child of said Adam L. Walker until he reaches the age of 16 years.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HELEN M. WORTHEN.

The bill (S. 4871) granting an increase of pension to Helen M. Worthen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Helen M. Worthen, widow of Harry N. Worthen, late lieutenant-colonel Fourth Regiment Vermont Volunteer Infantry, and to pay her a pension of \$30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PAUL FUCHS.

The bill (S. 4979) granting an increase of pension to Paul Fuchs was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Paul Fuchs, late second lieutenant Company A, Fifty-second Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH C. VINCENT.

The bill (S. 4293) granting an increase of pension to Elizabeth C. Vincent was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth C. Vincent, widow of Strong Vincent, late colonel Eighty-third Regiment Pennsylvania Volunteer Infantry, and brigadier-general, United States Volunteers, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HARRISON C. VORE.

The bill (H. R. 10230) granting an increase of pension to Harrison C. Vore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harrison C. Vore, late first lieutenant Company E, Eleventh Regiment Illinois Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALFRED M. WHEELER.

The bill (S. 2347) granting an increase of pension to Alfred M. Wheeler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alfred M. Wheeler, late of Company C, Sixth Regiment Missouri Volunteer Cavalry, and Company D, Fourteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM E. GRAY.

The bill (H. R. 12101) granting a pension to William E. Gray was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William E. Gray, late of Company M, First Regiment Georgia Volunteer Infantry, war with Spain.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY E. PETTIT.

The bill (H. R. 11314) granting an increase of pension to Mary E. Pettit was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Pettit, widow of Gilbert B. Pettit, late first lieutenant Company F, One hundred and twentieth Regiment New York Volunteer Infantry, and to pay her a pension of \$17 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AARON S. GATLIFF.

The bill (H. R. 1455) granting an increase of pension to Aaron S. Gatliff was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Aaron S. Gatliff, late of Company G, Fourth Regiment Kentucky Mounted Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS THATCHER.

The bill (H. R. 1826) granting an increase of pension to Thomas Thatcher was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Thatcher, late of Company K, Twenty-second Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

Mr. GALLINGER. I move to amend by inserting "thirty" in place of "twenty-four" before the word "dollars," in line 8. The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN W. SMOOT.

The bill (S. 4983) granting a pension to John W. Smoot was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Smoot, late of Company A, Washington Light Infantry, Fourth Battalion District of Columbia Volunteers, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS L. NELSON.

The bill (S. 4004) granting an increase of pension to Thomas L. Nelson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas L. Nelson, late of Company C, Thirty-fifth Regiment Wisconsin Volunteer



Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EDWARD N. GOFF.

The bill (S. 2050) granting an increase of pension to Edward N. Goff was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 3, before the word "hereby," to insert "is," and in the same line, after the word "hereby," to strike out "is;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward N. Goff, late of Company H, First Regiment Connecticut Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARGARET HOEFER.

The bill (H. R. 10841) granting an increase of pension to Margaret Hoefer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret Hoefer, widow of Frederick Hoefer, late of Company C, Thirty-eighth Regiment New York Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA L. KIMBLE.

The bill (S. 3998) granting an increase of pension to Emma L. Kimble was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, to strike out all after the enacting clause and insert:

*That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma L. Kimble, widow of Thomas V. Kimble, late of Company F, Third Regiment Indiana Volunteer Infantry, war with Mexico, and major, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.*

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH D. HAZZARD.

The bill (S. 4865) granting an increase of pension to Joseph D. Hazzard was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "of" and insert "first lieutenant;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph D. Hazzard, late first lieutenant Company D, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMANDA C. BAYLISS.

The bill (S. 2346) granting a pension to Amanda C. Bayliss was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

*That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda C. Bayliss, widow of Andrew J. Bayliss, late of Company C, First Regiment Arkansas Mounted Gun Men, Sabine Indian disturbance, and pay her a pension at the rate of \$3 per month.*

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN R. HOMER SCOTT.

The bill (S. 1638) granting a pension to John R. Homer Scott was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an

amendment, to strike out all after the enacting clause and insert:

*That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John R. Homer Scott, late captain Company C, First Regiment Arkansas Mounted Gun Men, Sabine Indian disturbance, and pay him a pension at the rate of \$8 per month.*

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OSCAR VAN TASSELL.

The bill (S. 4494) granting an increase of pension to Oscar Van Tassell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with amendments, in line 6, after the word "late," to strike out "of" and insert "captain;" in line 7, before the word "Thirty-fourth," to insert "and lieutenant-colonel," and in line 9, before the word "dollars," to strike out "thirty-six" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Oscar Van Tassell, late captain Company F, and lieutenant-colonel Thirty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY BRECKONS.

The bill (S. 4783) granting an increase of pension to Mary Breckons was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, in line 9, before the word "dollars," to strike out "twenty-five," and insert "fifteen;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Breckons, widow of Edward B. Breckons, late second lieutenant Company F, One hundred and twenty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$15 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EBEN C. WINSLOW.

The bill (S. 1593) granting an increase of pension to Eben C. Winslow was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eben C. Winslow, late of Company F, Ninety-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY L. DOANE.

The bill (S. 4758) granting an increase of pension to Mary L. Doane was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "of," where it occurs the second time, to strike out the letter "G" and insert "Gustavus;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary L. Doane, widow of Gustavus C. Doane, late captain, Second Regiment United States Cavalry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMMA S. HANNA.

The bill (S. 3999) granting an increase of pension to Emma S. Hanna was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "twenty-five" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma S. Hanna, widow of Thomas Hanna, late of Company C. One hundred and fifteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### ANN COMINS.

The bill (S. 4300) granting an increase of pension to Ann Comins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "acting," to insert "third;" and in line 8, before the word "dollars," to strike out "seventeen" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ann Comins, widow of Job Comins, late acting third assistant engineer, United States Navy, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CLIFFORD NEFF FYFFE.

The bill (S. 4619) granting an increase of pension to Clifford Neff Fyffe was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the name "Joseph," to strike out the letter "P.;" and in line 7, after the word "pay," to strike out "to;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Clifford Neff Fyffe, widow of Joseph Fyffe, late rear-admiral, United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### JEMIMA M'CLURE.

The bill (S. 5065) granting a pension to Jemima McClure was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, after the word "month," to insert "and \$3 per month additional on account of the minor child of said James R. McClure until he reaches the age of 16 years;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jemima McClure, widow of James R. McClure, late of Company L, First Regiment Indiana Volunteer Heavy Artillery, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of the minor child of said James R. McClure until he reaches the age of 16 years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### HORATIO N. WHITBECK.

The bill (S. 2081) granting an increase of pension to Horatio N. Whitbeck was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "colonel" and insert "lieutenant-colonel;" and in line 8, before the word "dollars," to strike out "fifty" and insert "forty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Horatio N. Whitbeck, late lieutenant-colonel Sixty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT pro tempore. The thirty minutes to be given for the consideration of bills under the order have expired.

Mr. GALLINGER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened, and (at 4 o'clock and 52 minutes p. m.) the Senate adjourned until to-morrow, Saturday, April 19, 1902, at 12 o'clock meridian.

### NOMINATIONS.

*Executive nominations received by the Senate April 18, 1902.*

#### PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Asst. Engineer George B. Maher, of the District of Columbia, to be a chief engineer in the Revenue-Cutter Service of the United States, to succeed Marshall T. Chevers, retired.

First Asst. Engineer Henry O. Slayton, of Maine, to be a chief engineer in the Revenue-Cutter Service of the United States, to succeed Daniel C. Chester, retired.

First Lieut. Frank H. Newcomb, of Massachusetts, to be a captain in the Revenue-Cutter Service of the United States, to succeed Alfred B. Davis, retired.

First Lieut. Charles H. McLellan, of Maine, to be a captain in the Revenue-Cutter Service of the United States, to succeed John C. Mitchell, retired.

First Lieut. Edmond C. Chaytor, of South Carolina, to be a captain in the Revenue-Cutter Service of the United States, to succeed John A. Henriques, retired.

Second Lieut. Percy H. Brereton, of New Jersey, to be a first lieutenant in the Revenue-Cutter Service of the United States, to succeed Edmond C. Chaytor, promoted.

Second Lieut. Godfrey L. Carden, of California, to be a first lieutenant in the Revenue-Cutter Service of the United States, to succeed Frank H. Newcomb, promoted.

Third Lieut. William G. Blasdel, of California, to be a second lieutenant in the Revenue-Cutter Service of the United States, to succeed Godfrey L. Carden, promoted.

#### PROMOTION IN MARINE-HOSPITAL SERVICE.

Asst. Surg. Hill Hastings, of Kentucky, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

#### APPOINTMENT IN THE ARMY.

##### *Infantry Arm.*

Clark R. Elliott, of Minnesota, late first lieutenant Thirty-fifth Infantry, United States Volunteers, to be second lieutenant, February 2, 1901, to fill an original vacancy.

##### *Artillery Corps.*

Charles D. Winn, of Kentucky, late captain Second Kentucky Volunteers, for appointment in the Army of the United States, to be second lieutenant in the Infantry Arm, with rank from February 2, 1901, which was submitted to the Senate April 11, 1902, and nominate him, under the provisions of an act of Congress, approved February 2, 1901, for appointment in the Army of the United States, to be second lieutenant in the Artillery Corps, September, 23, 1901, to fill an original vacancy.

### CONFIRMATIONS.

*Executive nomination confirmed by the Senate April 17, 1902.*

#### PENSION AGENT.

Michael Kerwin, of New York, to be pension agent at New York, to take effect April 30, 1902.

*Executive nominations confirmed by the Senate April 18, 1902.*

#### POSTMASTERS.

John H. Oakley, to be postmaster at Ravenna, in the county of Portage and State of Ohio.

Berry T. Conway, to be postmaster at Lebanon, in the county of Marion and State of Kentucky.

John T. Cunningham, to be postmaster at Graham, in the county of Young and State of Texas.

Robert J. King, to be postmaster at Clarksville, in the county of Red River and State of Texas.

William H. Cullen, to be postmaster at Paulding, in the county of Paulding and State of Ohio.

Fritz Ahrens, to be postmaster at Granbury, in the county of Hood and State of Texas.

David S. Burt, to be postmaster at Byesville, in the county of Guernsey and State of Ohio.

Josephine Chesley, to be postmaster at Bellville, in the county of Austin and State of Texas.



## HOUSE OF REPRESENTATIVES.

FRIDAY, April 18, 1902.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

## CUBAN RECIPROCITY BILL.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12765.

The SPEAKER. The gentleman from New York moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12765.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SHERMAN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12765, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12765) to provide for reciprocal trade relations with Cuba.

Mr. RICHARDSON of Tennessee. Mr. Chairman, if I had been called to prepare a bill to present to this House to accomplish the avowed objects of the pending bill, I would not have presented the measure which we are now considering. The object of this bill, as expressed in its caption and declared by its friends, is "To provide for reciprocal trade relations with Cuba." It is to obtain the trade of that country through the principle of reciprocity; that is, they shall have our trade and we shall have theirs. This is what is meant by reciprocal trade relations between two countries. Desiring to bring about reciprocal trade relations with Cuba, I would not have presented exactly this measure, and not because it is not a measure starting in the proper direction, for it is; but I would not have stopped exactly where the friends of the pending bill stopped. I would have recommended a reduction of the tariff rates at least 40 per cent instead of 20 per cent.

Mr. Chairman, there have been a variety, a great variety, of opinions developed and expressed during this long debate. It has been an able debate. While I do not agree with all that has been said by gentlemen who advocate the passage of this bill, I do agree with them in the conclusions they reach, that the bill should pass. Certain landmarks, Mr. Chairman, have been established by this debate, fully developed by what has occurred in the House and before the country during its pendency. If nothing else has been established there is one fact settled beyond peradventure, it seems to me, that is of incalculable advantage to the country. What is that? It is that there is a way to provide for and obtain, or to have reciprocal trade relations with, a country by and through appropriate legislation. How is that to be done? Exactly along the line of this bill.

If you want the trade of a people, you must deal fairly with them; if you want them to buy from you, you must buy from them. Therefore, the first step that the wise men took when they commenced to frame this bill was to plant a Democratic landmark from which they can not escape. What is that? Lower your tariff wall and make trade relations freer and fairer. You want to establish relations, you want to develop trade with Cuba. How are you going to do it? Why do you not pursue the Republican policy of placing a higher tariff against Cuba and Cuban tariff? Would not that be the Republican idea? What is the Democratic idea? Reduce your tariff walls, reduce your tariff, and provide for reciprocal trade relations in this way.

So, then, Mr. Chairman, without dwelling upon this important fact, this grand landmark is here planted and definitely established by this debate. Republican leaders must confess hereafter that when we want to provide wider fields for our products, if we want to extend our trade with any country and open new markets, we must pull down the immense tariff wall which surrounds this country. That fact, then, is established. I said that I thought they had started in the proper direction. I said they did not go as far as they ought to have gone, in my judgment. It may be I am mistaken in this. The witnesses differ in view; some gentlemen who testified before the Ways and Means Committee in the long hearings before that Committee before the bill was presented were of opinion that it was necessary that there should be 50 per cent reduction in favor of Cuban products before we would get the trade of the islands. Others said 40 per cent; General Wood, I believe, thought 40 would give it; others 33, and others a still lower sum.

The gentleman who framed the bill must have thought that 20 per cent reduction would give us that trade. Having the honor of a seat on that committee, I concurred in reporting this bill and giving it a favorable recommendation. I did so because, while I

doubted, and expressed that doubt when I cast my vote in committee for the bill, that it would accomplish the purpose in view; yet I thought I might possibly be mistaken in this respect, and it would bring about the reciprocal trade between the two countries so earnestly desired. Therefore, without agreeing to the arguments which gentlemen have adduced in favor of the bill, without subscribing in toto to the report made by the learned chairman of the Ways and Means Committee, without indorsing all of the arguments and reasons which constrained him to support the bill, and hoping it might be properly amended in the House, I did agree that the bill should be reported to the House with a favorable recommendation.

Having done that, Mr. Chairman, I owe it to my party associates and possibly to the country to state briefly some of the reasons which constrained me to report the bill favorably. The first reason was that it reduces the outrageously high protective rates, now fixed by the Dingley law upon sugar and all other Cuban products, 20 per cent. Some say that only one industry is chiefly affected. Let us look at it for a moment. It is not only one commodity, but the bill applies to all products coming from Cuba,—sugar, tobacco, and everything else. Sugar we all know is the chief commodity coming from that island. This reduction is not a small matter. How much sugar do we consume? I will not weary you with figures, but the total consumption of sugar in the United States per year is about 2,500,000 tons. How much do we make in the United States? About one-third of this, including Hawaii and Porto Rico. The beet sugar and cane production in this country is about 800,000 tons. Therefore, we must import about two-thirds of the sugar consumed by the American people, or about 1,600,000 tons. Where does it come from? About one-half of it—800,000 tons—comes from Cuba, or will do so this year, and the remaining half, in round numbers, from other countries, mainly from Germany.

Now, then, on one-half of this one article that the American people import for consumption, we get a reduction by this bill of 20 per centum of the present rate. Some say, Mr. Chairman, that that will not affect the price. The principle is that the reduction of tariff duties will lower the price of the imported article in this country. That is a Democratic contention. I do not know how much it will lower it to the consumer, but it is a step in the right direction. The object of lowering the rate is to benefit the consumer in this country, and therefore because the bill reduces the rate of the Dingley tariff upon one of the highest schedules in it, the sugar schedule, for about one-half of the amount consumed—that is, imported into the United States—I believe the bill should pass.

There is another view of the question. Some say they are tired of sentimentalism; but, frown upon that idea as we will, there is a sentiment in the country, and properly, too, that we should do something for these wards, I may almost call them, of the United States in Cuba. I know it is contended by gentlemen on this side of the House that we have done enough for Cuba. There has not been a day, Mr. Chairman, since the beginning of the month of April, 1898, when war was declared by the United States against Spain, that the hand of the United States, the military power of the United States, has not rested with controlling and dominating influence upon the island and the people of Cuba. We are there now. We intend to stay there as long as it is necessary. How long that will be I do not know.

I am not going to discuss the effect of the Platt amendment. My friend from New York, Mr. McCLELLAN, made a proper statement, as I believe, of the effect of that piece of legislation upon the island. Others have followed. Under the Platt amendment I believe that with the power exerted by it, and by all the surrounding circumstances, over the people of Cuba we may look at them somewhat in the sense of wards.

This bill will give Cuba a 20 per cent advantage. How much it will amount to can be easily figured. Whatever it is, whether it reduces the price of sugar to the American consumer or not, it does benefit the people of Cuba to that extent. It goes beyond that. There are two purposes accomplished, either one of which would be sufficient to control my action in supporting the bill. Of course, in saying this I will add that I do not wish to do violence to any industry in this country. I know that our beet-sugar friends complain that they are going to be uprooted, yet they will tell you that it is not going to affect the price of sugar to the consumer of sugar in the United States. Well, if it is not going to affect the price to the consumer, how will the beet-sugar man be injured? Let us go a little further.

Mr. HAMILTON. Mr. Chairman—

Mr. RICHARDSON of Tennessee. No; I can not yield. I prefer not to be interrupted.

Mr. HAMILTON. I simply rose for information; not to have any controversy with the gentleman; I am not given to that.

Mr. RICHARDSON of Tennessee. I understand that, but I prefer not to yield, for I am not really in a physical condition to

make a speech this morning. Mr. Chairman, these two grounds, the reduction of Dingley rates, and the direct pecuniary benefit to Cuba, would be sufficient to constrain me to vote for this bill, but I have not yet reached the main purpose and object of the bill. The bill does not say the object is to reduce the tariff taxation to the people and give pecuniary relief to the island, but it is to enlarge and increase our trade with the island.

Now, will it do that? If there is anything in the world we need, Mr. Chairman, in this country, walled in as we are by the Dingley tariff law, the highest that this country or perhaps any country in the world has ever known, it is extension of trade. This bill has for its main purpose the extension of trade between the people of the United States and the people of Cuba.

I am not going to weary you by reading figures; but I have in my hand a little statement made before the Committee on Ways and Means by one of the most intelligent—I will not say the most intelligent—but one of the fairest, most intelligent, and brightest witnesses who came before that committee, as every member will admit. I refer to Mr. Placé, a merchant and a business man of the city of Habana. He set out in figures in round numbers what the trade to Cuba from this country was last year, and the whole amount of the trade of the island of Cuba with other countries. The imports into that island from all lands amounted to about \$66,000,000 last year, as he states. Now, how much of that did we get? Twenty-eight million dollars in round numbers.

Mr. Placé, this intelligent business man and merchant doing business in Habana, says that if we will reduce our tariff taxes we shall get all of the trade of that island instead of about one-third.

Mr. TAWNEY ROSE.

Mr. RICHARDSON of Tennessee. I prefer not to yield for any interruption, unless I should misrepresent somebody.

Mr. Chairman, this same witness says that with Cuba placated, with her people free, and with anything like a fair degree of prosperity, that inside of two years, instead of importing \$66,000,000 worth of foreign goods the island will import \$250,000,000 worth. Now, I do not say that; but that is what this witness says, who comes here and gives us the benefit of his opinion.

Of that \$66,000,000 worth of trade last year, he takes up the product of rice. We raise rice in this country; and there was imported of rice into Cuba last year from all foreign countries \$3,335,721 worth. How much did the United States send there? \$3,702 worth.

Mr. BROUSSARD. Will the gentleman allow me—

Mr. RICHARDSON of Tennessee. No; I hope the gentleman will not interrupt me. If he will wait till I get through I will then, if I can, yield for any question.

Of cotton goods there are imported into Cuba from all foreign countries \$6,084,627 worth. How much of that came from the United States? \$447,501 worth.

Of shoes there was imported into Cuba last year from all foreign countries \$3,921,167 worth. Of that amount only \$879,180 worth came from the United States.

How is it with regard to the importations of beef? Now, if there is anything in the world that we should export to Cuba, it is beef. Last year there was imported into Cuba from all foreign countries \$2,224,428 worth, of which we contributed \$308,385 worth. Of cattle there was imported into Cuba \$7,351,864 worth, of which we gave \$1,260,176 worth. Of paper and manufactures from paper, Cuba imported \$1,643,738 worth, of which our share was \$441,440 worth. The following is the statement in full and in exact figures:

RICE.	
From foreign countries .....	\$3,332,019
From United States .....	3,702
	<u>3,335,721</u>
COTTON GOODS.	
From foreign countries .....	5,637,126
From United States .....	447,501
	<u>6,084,627</u>
SHOES.	
From foreign countries .....	3,041,087
From United States .....	879,180
	<u>3,921,167</u>
BEEF.	
From foreign countries .....	1,976,043
From United States .....	308,385
	<u>2,224,428</u>
CATTLE.	
From foreign countries .....	6,091,688
From United States .....	1,260,176
	<u>7,351,864</u>

#### PAPER AND MANUFACTURES FROM PAPER.

From foreign countries .....	\$1,202,208
From United States .....	441,440
	<u>1,643,738</u>

#### FISH AND CANNED FISH.

From foreign countries .....	1,000,485
From United States .....	503,654
	<u>1,504,139</u>

#### FIBERS, CARPETS, CORDAGE, ETC.

From foreign countries .....	1,879,763
From United States .....	134,353
	<u>2,014,116</u>

This statement shows that the United States furnishes only about one-third of these prime articles, of which we should furnish the whole or almost all, because of our nearness of location and our conveniences for carrying on that trade. These conditions should have enabled us to furnish practically all of these commodities to the people of Cuba. But, according to Mr. Placé, we supply only one-third. With proper reciprocal trade relations, we would supply to them, instead of one-third, almost 90 per cent or possibly 95 per cent. So far as the present bill seeks to accomplish this most worthy object, it commands my support.

While last year the trade of the United States with Cuba—our importations into that island—amounted to \$28,000,000, all the witnesses tell us that our trade with the island is growing less year by year. Instead of building up a trade with that island, we are losing the little that we have. This bill promises to give us that field; and, Mr. Chairman, we get it without money and without price; or we get it at our own price, by simply sending to Cuba our goods and taking hers in exchange.

We are expending—as my friend from Illinois [Mr. CANNON], who, I see, is standing in the middle aisle and doing me the honor to listen—we are spending, as my friend knows, a hundred million dollars to do something in the Philippine Islands. What we are doing there and what we intend to do he has never told us; no man in the Republican party has ever told us. If it is to benefit this country, it must be by extending our trade relations in the Orient. It must be by developing our trade in the Philippine Islands. One hundred million dollars a year it is costing us; and the entire trade from the Philippine Islands—all the importations and exportations last year—were only about \$50,000,000, of which we shared about \$5,000,000.

Now, here is a proposition to result soon, we hope, in giving us nearly \$250,000,000 per year of trade with a country right at our door, which will not cost us anything—no blood, no tears, no money, nothing except to exchange our commodities with them; yet we are asked to put it aside.

Mr. Chairman, these three reasons, I say, constrain me to give my support to this bill. I have stated very briefly those reasons, for I have not the time or the physical strength to enlarge upon them.

Mr. Chairman, why should we not reduce the tariff? I want to talk about that a moment. The gentleman from Ohio [Mr. GROSVENOR] has told us that protection is not a fetish to be worshipped; the Dingley act is not something too holy to be touched. I think, Mr. Chairman, that other gentlemen see the signs of the storm that is coming and that is to affect this country, all because of high protection. The gentleman [Mr. GROSVENOR] says we must not look at this matter of protection as some gentlemen on that side seem to look at it—as a matter too holy to touch. Why, the friends of beet sugar who are opposing this bill say that if you touch this tariff wall at all, it will totter and fall. They claim that they have a promise, written, signed, sealed, and delivered by the chairman of the Committee on Ways and Means [Mr. PAYNE], in a speech which he made in favor of the Dingley bill when it was pending before this House, in which he pledged the country and pledged the beet-sugar people that for twenty-five years the tariff should not be molested and should not be touched. The gentleman from Ohio [Mr. GROSVENOR] in his speech says it is not so holy that we can not touch it.

Mr. Chairman, it seems to me that if ever there was a time in this country when tariff reform was demanded, this is the time. Why put it off? as asked by my friend from Missouri [Mr. DE ARMOND] on yesterday. Are we to have a more auspicious time than this? Our treasury is overflowing. There is an outcry in the Northwest, in the South, in the Northeast, and in the Middle States in favor of a revision of many of the schedules in the tariff law. Why not begin it now? The fact that this bill does begin it in a modest way, I have already said, commends it to me, constrains me to give it my support. This matter of protection, Mr. Chairman, ought to be discussed. I am glad that we have had the opportunity to discuss it. The attention of the country is being drawn to it now as perhaps not before in many years.



There are different schools of medicine in this country. There is one called the faith school, and somehow I am constrained to think that a man who is an out and out, thick and thin protectionist has to have more faith than any sick man is required to have in order to be cured by a faith doctor.

Now, what do they say about protection? Let us look at it just for a moment. An ardent protectionist tells you that he wants protection for the benefit of the manufacturers of our country, our infant industries. No matter how old and hoary they are with age, they are infant industries and need protection. These weak infants can not stand alone without protection. The very name is sweet to the ear, has a mellowing influence about it—protection, protection to home industries.

They want protection for the infant industries of this country in order that the manufacturer of goods may get a higher price for his goods, and thus prosper and compete with manufacturers of foreign countries. Is not that his object? What else does the manufacturer wish protective tariffs for? Is it to reduce the price of his goods? If they had that effect, he would not be in favor of protection if he consulted his own interest. His belief is that protection will raise the price of his goods. Now, then, let that be established. Let that be confessed. Let no man gainsay that that is the prime object and the purpose of protection and a protective tariff.

What is the next thing he asks you to believe—I am talking about faith—what is the next thing he asks you to believe? I am prepared to believe that high protection will protect him and give him a higher price for his goods. I accept that, and I think every sensible man in the country will accept it. Well, he says, we must have a protective tariff in order to reduce the price of our goods when they are sold to the consumer who is to buy them.

Now, there are two totally inconsistent provisions. First, he wants a protective tariff to enable him to get a higher price for his goods which he manufactures, and he wants a protective tariff to enable him to sell these same goods more cheaply to the American consumer, or to the consumer wherever he may be. He then goes a little further and says he wants this protection in order to enable him to pay his laborers higher wages to manufacture these goods. Therefore, you have this protective tariff accomplishing three (3) purposes—enabling the manufacturer to get a higher price for his goods, enabling him to pay his laborers higher wages, which we all favor, and at the same time reducing the price of the very article that he is to get a higher price for to the American or other consumer when it is sold.

If you believe all that, I say you have more faith than is necessary to remove a mountain. Faith enough to believe you are well and hearty when you are sick nigh unto death. I believe, therefore, whenever I have an opportunity in this bill or any other to reduce the protective tariff I should vote to do it. I said that General GROSVENOR recognized the fact that there was a storm coming. Yes, and there are other gentlemen on that side of the House who do the same thing—as, for instance, our friend from Wisconsin [Mr. BABCOCK]. I am sorry he is not in his seat—that is, I do not see him now. But he has presented a measure here which has for its object and purpose a reform and a revision of one of the important schedules of the Dingley tariff law. I think the reason he introduced that bill was that he saw himself that his constituents were demanding of him that these tariff rates provided in that schedule should be reduced. Is there such a demand as that in his district? I don't know whether all of you saw what I read in the paper this morning or not. My friend from Missouri [Mr. DE ARMOND] yesterday commented upon the action of Mr. BABCOCK in presenting to this House a measure to reduce the tariff tax on this metal schedule. He has a bill here—a bill pending before the Committee on Ways and Means—which has for its object the reduction of the rates on all articles mentioned in this metal schedule. We intend to give him an opportunity and to give every gentleman an opportunity to vote for the amendment provided by the gentleman from Wisconsin.

Is there a demand for revision? Let us see if there is, Mr. Chairman. I hold in my hand an article, which I clipped from the morning Post, which contains the action of two counties in the district which my friend from Wisconsin has the honor to represent on this floor. I read:

[Special to the Washington Post.]

BARABOO, WIS., April 17.

The Sauk County Republicans held a convention here to-day and elected a solid delegation for the renomination of Congressman BABCOCK and adopted a resolution in favor of the bill introduced by Mr. BABCOCK reducing the tariff on steel products. The resolution is as follows:

"The Republicans of Sauk County, in convention assembled, reaffirm their allegiance to the doctrines of the Republican party, believing that the prosperity of the American people depends upon its continuation in power; they declare unequivocally in favor of the bill introduced by their present Representative, the Hon. J. W. BABCOCK, reducing excessive and unnecessary tariff on steel products, and while favoring the fullest protection to every American industry requiring protection, they are heartily in favor of revising all

excessive tariff schedules, keeping in view the interests of the American farmer and the laboring man.

"Resolved, That the delegates to the Congressional convention be instructed to cast their ballots for our present Representative, Hon. J. W. BABCOCK."

Mr. Chairman, is there a Democrat, is there a gentleman occupying a seat on this side of the Chamber, who does not subscribe to these resolutions? If so, let him hold up his hand. Is there a Republican on the other side of the Chamber who does not subscribe to this doctrine? The district which Mr. BABCOCK represents yesterday passed the resolution which I have read to you unanimously, as it appears, but that was not all.

I read from the clipping referred to a further resolution:

The Republicans of Iowa County, in Mr. BABCOCK's district, met in convention yesterday and appointed delegates and instructed them for his renomination, and passed resolutions indorsing his position in reducing the tariff on steel products.

Now, that is what we should do. That is exactly what we purpose doing when this bill is reached under the five-minute rule. Can we have any aid from the Republican side? I have in my hand here a copy of the bill which the Republicans in Mr. BABCOCK's district in two counties yesterday unanimously indorsed and commended him for presenting to this House. I shall tender that, if he does not, as an amendment to the pending bill.

I shall summon the gentleman from Wisconsin [Mr. BABCOCK] if I can with my weak power, and every other gentleman on that side of the House, to come to the support of the measure to give to his constituents the relief which they declared for on yesterday. [Applause on the Democratic side.] Not only that, but we will present other amendments. I have not time to go into all of them now. We will present the amendment, if it is not presented by some other gentleman, to take off the differential duty on refined sugar. The gentleman from Missouri [Mr. DE ARMOND] referred to that yesterday, and in his able and attractive argument assumed, possibly, that the Chair would decide that that amendment was not in order. I am here to say I have faith. I have confidence, not only in the ability, but in the fairness of the gentleman who occupies the chair at this time as chairman of the Whole—I do not believe that he will hold that that amendment is not in order. We intend to see that it is presented to this House.

Gentlemen say we can not vote for this bill because it gives something to the sugar trust. They are afraid that this 20 per cent reduction will not go to the people of Cuba; that it will not go to the American consumer, but that the sugar trust will get the benefit of it. It is possible that they will get some benefit from it. I am not here to gainsay that, but I am here to say by passing this differential amendment we can take from the sugar trust five or six millions of dollars and leave it to the American consumer. I believe it is in order. I won't take time to argue that now. I hope to do it under the five-minute rule. I expect to show, Mr. Chairman, that the ablest Republican parliamentarian who ever presided over this House, one of the ablest, if not the ablest, parliamentarian that ever presided over any house, has made a precedent for the amendment. I refer to Mr. Blaine, a man whom, while we may have differed with him on this side of the House upon political questions, all conceded him to be a parliamentarian of parliamentarians. I believe the able chairman will follow the ruling of Mr. Blaine and hold that the amendment is in order. Then, if we want to take something from the sugar trust for the benefit of American consumers of sugar that they are supposed to get by 20 per cent reduction in this bill, all we have to do is to repeal this differential tax and give the benefit to the American consumer.

Mr. BROMWELL. May I ask the gentleman a question?

Mr. RICHARDSON of Tennessee. I hope the gentleman will excuse me.

Mr. BROMWELL. I wanted to ask the gentleman if he was in favor of taking the differential off all sugar, or merely Cuban sugar?

Mr. RICHARDSON of Tennessee. Off all sugar.

Mr. Chairman, I said a variety of opinions had been expressed. I have a number of amendments that I propose to offer; but my time has about expired, and I will not have time now to discuss them. I can only mention them, or some of them. I have said we are ready to cooperate with the gentleman from Wisconsin in reducing the tariff on the metal schedule of the Dingley bill; we are ready to cooperate with the chairman of the Ways and Means Committee and his associates on that committee in making a slight reduction on the sugar schedule of the Dingley bill. We are ready to join in the reduction of other schedules, not with a view to destroy the business interests of the country but with the object of making a fair and moderate reduction of the present high protection rates.

On behalf of the Democratic side of the House I shall offer at the proper time amendments to bring about a moderate reduction in tariff rates. There is no good reason why there can not be at

the present session of Congress a revision of the tariff in the interest of the laboring and producing classes of the country. The Republicans have a clear majority in both the Senate and the House, and have the Presidency. They can make the revision. There is time now for such legislation. But the edict has gone forth that there is to be no tariff bill, or relief measure of any kind or character considered or passed during this Congress. This being true we shall ask that an amendment be placed upon this bill here and now making a general reduction in tariff rates. If the opportunity be given us we will offer the following amendment:

That on and after the 1st day of July, 1902, the duties levied on the articles named in the present tariff law, imported from foreign countries, shall be reduced 25 per cent.

This will give prompt relief in some degree at least to the country. I do not insist that this is the wisest form of tariff legislation to take, but when it is apparent that nothing else is to be done, it is a means that in my opinion can be safely adopted.

If that amendment should fail, then if opportunity is given I will offer the following amendments and pledge to them the support of the Democratic side of the House:

(1) That when it is shown to the satisfaction of the President and Secretary of the Treasury that articles and commodities are manufactured and controlled or produced in the United States by a trust or trusts, the importation of such articles and commodities from foreign countries shall be free of duty until in the opinion of the President and Secretary of the Treasury such manufacture, controlled, or production shall have ceased.

(2) That when it is shown to the satisfaction of the President and Secretary of the Treasury that any article or commodity which is manufactured in the United States is sold in a foreign country more cheaply than the price at which the same article or commodity is sold in the United States, the rate of duty on such article or commodity shall be reduced by the President and Secretary of the Treasury 50 per centum of the present rate, or to such extent as to prevent the continuance of such irregularity and injustice, and remove the indirect tariff bounty which promotes the same.

(3) That all wood pulp suitable for or adapted to the manufacture of printing paper, and all printing paper suitable for or adapted to the printing of newspapers, periodicals, or books, all materials and ingredients used in manufacturing the same, when imported into the United States, shall be exempt from duty.

These and similar amendments will be offered, and, although they may all be declared out of order and a vote upon them refused by a rigid construction of the rules of the House, it would be very easy for those in power to make them in order. When the pending bill was being considered by the Ways and Means Committee the foregoing amendments and others of like nature were offered by the Democratic minority and were promptly voted down by the Republican majority. They could all have been placed on the pending bill. It is not yet too late. The desire or inclination to do so on their part is all that is wanting.

My friend from Ohio [Mr. GROSVENOR] the other day was interesting in some of his illustrations. I said just now, before he came upon the floor, that I thought he had recently discovered that there was a necessity for a revision of many of the high-tariff schedules. I think he said as much when he said that the protective tariff law to-day was not a fetish to be worshiped. He spoke of the changes in the minds of many members upon the floor, and he made a very apt description of those changes by quoting from a comic summer opera, "The Black Hussar."

In this opera there is a character, an innkeeper on the frontiers of Russia, in a great war between that country and France. He said that this innkeeper had in his hotel or inn a frame upon which there was a picture of Napoleon on one side and a Russian Cossack on the other; and that this picture frame revolved, so that when the Russians were advancing into his village the innkeeper could display to them the Russian Cossack; and, on the other hand, when the French soldiers were advancing, he could reverse his machine and disclose the picture of that great soldier, Napoleon.

I thought it was an apt illustration, and in view of the fact that the gentleman knew when a storm was approaching and prepared for it, I think he must have had himself in mind when he drew that picture. Now, I do not believe he is going to see any storm this session in favor of a reduction of the wool tariff. He can not conceive that there is a demand in Ohio or anywhere in this country for a revision of the wool schedule. What he sees is the storm that is arising over the metal schedule in the district represented by my friend from Wisconsin [Mr. BABCOCK]. He sees the storm all over this country in favor of free wood pulp, free hides, and reduction of tariff duties generally; he sees the storm in this country, where the people are arising and attacking this octopus, protection, because of the immense advantage it gives to trusts and manufacturers, and which enables them to sell their products in foreign countries more cheaply than they sell at their own doors to our own people. The people of this great Republic will not tolerate this inequality and this injustice much longer. Therefore, in his fertile imagination he drew a picture of this innkeeper with the French soldier and the Russian Cossack.

The gentleman from Ohio must have had himself in mind when he made that picture, and I can not help but think of another

picture. I think he is preparing for the storm which is soon to come, and which will sweep over this country like an immense prairie fire. Then he will say, "I told you, gentlemen, that the Dingley law was no fetish to be worshiped; I told you that it was not unholy to lay hands on this protective-tariff system, but you would not do it."

He will be prepared for the storm. He will be in a position of a certain great king of East Anglia that I once read of, and I will add I read it in a Sunday-school book many years ago. This East Anglia king, I forget his name, but I believe it was Raedwald, but will not be certain, was a heathen, and some good missionaries went to his country and preached the doctrine of Christianity. This king became converted from his heathenism and his worship of idols and his idol god to Christianity. He determined to try to follow the Lowly Nazarene, and he became converted in thought and belief. But he was not very sure about his new position. He was a little afraid that he might be mistaken. He feared, too, his old heathen idol might turn from his elevation and tear him to pieces. Though he had embraced the new religion he wished to be ready to take advantage of the old, if necessary. He wanted to keep himself ready for a storm. In his doubt and uncertainty he had erected for himself, in his castle, a large movable picture, something like the one the gentleman from Ohio described, and he put upon one side of the frame the most horrid and ugly picture that could be painted, an exact representation of his heathen idol that he had been worshiping, and on the other side he had painted a beautiful and lovely picture of Jesus. And there he was constantly living in fear lest this idol should turn upon him and rend and destroy him because he had abandoned him and embraced the religion of Jesus Christ. He had his picture ready, and by a simple touch of the crank or handle, he could expose either side. He then placed on the pedestal just under the pictures the Latin maxim or motto *Ad utrumque paratus*, or "ready for either." I would not have to interpret this Latin for the benefit of the gentleman from Ohio, but possibly I might for some other gentleman who reads these remarks, and I therefore translate it.

That is the position of my friend from Ohio. [Laughter and applause.] He stands with his old god, protection, on one side, and his new god, tariff revision, on the other side, and under it he has his Latin motto, *Ad utrumque paratus*. The gentleman from Ohio is ready for either one that comes. [Laughter.]

Mr. Chairman, I could talk longer, but I have said about all that I wish to say. I have very briefly declared that I would vote for this bill, for the three reasons I announced in the beginning. I have nothing further to add except this, that it is a step in the direction of wider and freer trade between this country and Cuba. Like the gentleman from Ohio, I want to be prepared for the great storm that is to come in this country, and which will come this year or next year or the year following, in which all the protective duties, higher now than they ever were before in this country, will be lowered somewhat, and then we will have freer and wider trade with all the nations of the earth. [Prolonged applause.]

Mr. BROMWELL. Before the gentleman takes his seat I would like to ask him a question.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BROMWELL. Just one moment, Mr. Chairman, until the gentleman can answer a question. I want to ask him in regard to the alleged bargain between the leaders of the Republican side and the Democratic side for votes for this bill on the condition that the Crumpacker resolution should be smothered. Does the gentleman know anything about that?

Mr. RICHARDSON of Tennessee. Absolutely nothing. [Laughter.]

Mr. FORDNEY. Mr. Chairman, I do not intend to support this bill, and briefly I will state my reasons. In the first place, it is a plain violation of the principles of the Republican party. In accepting the nomination in my district in 1898 and 1900, I pledged myself to the people of my district to stand squarely upon the Republican platform. It is well known to the members of this House what that platform pledged the Republican party to do.

Mr. Chairman, this bill, in my opinion, strikes a telling blow at the farmers of my district and the sugar manufacturers of the United States. To-day the farmers reap a greater benefit from this crop that they are raising (sugar beet) than any other crop raised in my State. To illustrate in my plain and simple way the enormous crop raised in the State of Michigan last year, I want to show you what I have put into figures in this way: The beets produced in the State of Michigan for the year 1901, if put into one train load of 30 tons to the car, would make a train 325 miles long. Over 66,000 acres of land were planted to beets in the State of Michigan last year, which, if put into one immense strip of land, would make a strip 105 miles long and a mile wide.

Let me say to you that by this beet crop, corn, oats, and wheat,



which are the principal crops of the farmers of the State of Michigan, have been diverted. In raising beets it gives a crop they can take to market and get the cash for, and consequently there have been more mortgages canceled in the State of Michigan in the past three years on account of the beet crop than in any previous three years in a quarter of a century. There is not a farmer in the Eighth district of Michigan, which I have the honor to represent, who has in one single instance said to me that they were in favor in any way of this proposition. On the other hand, I have had hundreds of letters protesting against the passage of this bill, both from Democrats and Republicans alike.

I want to say to the gentlemen on the Committee of Ways and Means that not one particle of evidence was presented to that committee by one single Cuban. Every man who came before that committee came in the interest of some American citizen who owns sugar interest in Cuba or who was influenced by the sugar trust, in my opinion. Mr. Mendoza and Mr. Place both have personal interests. Mr. Mendoza owns a little pinky-dinky farm of only 27,000 acres. Certainly he had some interest in the matter. I want to call your attention to a few instances where the money will go if this bill becomes a law.

According to the testimony presented to that committee, Mr. Hugh Kelley, of New York, has a factory or plantation in Cuba which produces 12,000 tons of sugar, and a 20 per cent reduction would yield to that gentleman, who is hungry and starving and almost in desperation, \$90,600. That is all Hugh Kelly will get out of it. [Laughter.] The Trinidad Sugar Company, of which Mr. Atkins is manager and president, produces, according to his own statement, 10,000 tons of sugar, and that company would get \$75,500 only. Then comes Mr. Atkins's own property, which produces 12,000 tons, and he would get \$90,600 at a 20 per cent reduction. Then comes that of the Homiguero estate, representing an estate held by New York parties, which produces 12,000 tons, and they would get \$90,600. Then comes the Constance estate, owned by gentlemen in the State of Louisiana. They produce 20,000 tons, on which they would get \$151,000. That is all! Then comes the United Fruit Company; according to the statements of Mr. Atkins they have a plantation producing 20,000 tons, and they would get \$150,000.

A friend of mine, Mr. Tompson, ex-mayor of the city of Detroit, stated to me a few days ago that a friend of his is a stockholder in the United Fruit Company, and had said to him a few days before that they owned 60,000 acres of sugar lands in Cuba; that they had a plant that cost them \$1,000,000, and they paid their manager the insignificant sum of \$40,000 per year! Poor suffering Cubans living in Boston in \$1,000,000 houses! [Laughter and applause.] This is the kind of people who are going to be helped by the passage of this bill.

Then comes the Chapara Sugar Company, of which ex-Representative Hawley is a member and in which certain New York parties hold an interest. The statement before the Ways and Means Committee is to the effect that they produce 30,000 tons, on which they would get only \$226,500.

Then comes Mr. Craig, of Philadelphia, producing 15,000 tons, on which he would get \$113,250.

Then comes this poor suffering Cuban, Mendoza, with a Cleveland badge upon him. The gentlemen know, I presume, that the Cleveland badge is a patch 6 by 8 on the seat of his pantaloons. He produces 25,000 tons, on which the amount received would be \$188,750.

There is no question that the statements made by all these men before the committee were conservative, and according to those statements this crowd produces 150,000 to 200,000 tons of the 615,000 tons produced last year in Cuba; so that one-sixth of this money would go to these men living in the United States.

The gentleman from New York [Mr. PAYNE] read here in the course of his speech a letter from Governor Wood, of Cuba, in which it was stated that there were only 3,000 tons of sugar in Cuba in the hands of the sugar trust; that the balance was in the hands of the banks, who hold that sugar for the small cane raisers.

That was the statement, or words to that effect. From that statement you are to infer that the banks are carrying this sugar until such time as it can be marketed, so that they may receive the benefit of the provisions of this bill—carrying it for them and charging interest at the rate of 18 to 25 per cent per annum on their money. That is the rate of interest those men down there pay. Now, let me say to you that the small cane raiser in Cuba does not own a solitary cent's worth of that sugar. He mortgages his crop the very minute he begins to raise it, just as the negro in the South does his cotton crop, and by the time the cane is delivered at the factory the raiser has consumed his share of the money. He receives from the factory for his share one-half of the sugar, and the factory receives the balance; and the statement of General Wood is to the effect that in Habana the warehouses are filled to the top and the sugar is piled up along the street, waiting for this bill to become a law. Of this 20 per

cent do you suppose that the poor cane raiser has any interest? It is absurd to suppose so. Every man that testified before the committee admitted that he has made money out of the sugar industry in Cuba.

Now, let me read you an affidavit of George W. Ames, of Bay City, Mich.:

G. W. Ames, of Bay City, Mich., U. S. A., being duly sworn, deposes and says as follows:

On February 27, 1902, at 5 o'clock in the afternoon, I met at the Hoffman House, New York City, Mr. M. Mendoza, of Habana, Cuba, and remained with him about one-half hour in the Hoffman House cafe. In company with Mr. Mendoza was Mr. Otto Bush, who introduced me to Mr. Mendoza. Mr. Mendoza stated to me, in Mr. Bush's presence, that anyone who bought land in Cuba with the intention of growing sugar could make a very handsome profit no matter whether any concession in the existing tariff on sugar was granted by the United States or not, and he emphasized the statement in the strongest possible manner.

Pay attention to that statement, if you please.

That land there he had purchased very recently for \$2 an acre could not now be purchased for less than \$4 an acre; that a great many of his New York friends have very recently purchased large tracts of land, believing that the existing tariff rates on sugar would be granted of 33 per cent. He stated they had asked for 40 per cent, but that they were sure of getting 33 per cent.

During our conversation Mr. Bush, in the presence of Mr. Mendoza and myself, stated that he supposed the sugar trust controlled the press of the East. Mr. Mendoza said in reply, "Yes, we have the press for the East."

"We have the press for the East." How did they get it? Who paid for it—Mr. Mendoza, one of those poor devils suffering so much down there in Cuba, or the sugar trust, or who? I leave that for you to guess.

Mr. Mendoza stated again that where good land was purchased in Cuba at present prices and a sugar plant erected a great deal of money could be made, and this could be done even if there was no concessions made by the United States.

GEORGE W. AMES.

Sworn to before me this 28th day of February, 1902.

DONALD FINDLEY,

Notary Public, New York County, No. 126.

That is what Mr. Mendoza said after he had been here and appealed to the gentlemen of the Ways and Means Committee for relief. Either he made false statements before the committee or he was not honest in the statement I have just quoted. Which do you give him credit for? In the interview which I have just read he was trying to encourage capital to go to Cuba for investment. So much for that.

Mr. Chairman, the other day, when the gentleman from New York [Mr. PAYNE] was speaking, I asked him a question (perhaps rather disrespectfully), when he had been speaking of the effort he had been making in favor of tariff measures. He said that he had been a protectionist from his father's knee. When I said to him, "You are doing the very thing now that you ought not to do," or words to that effect, he went at me like some men go at a mountain lion, with blood in his eye—he squashed me quick. He said to me, "You are taking a course that would strike down the industry that you are assuming to protect." There was loud applause on the Republican side.

In the name of God, what did you applaud him for? He is a protectionist on the one hand, in my opinion, and a free trader on the other. He is like an old root doctor I heard of once who went to see a man who was sick with the ague. He fixed up two glasses of medicine and he said to the wife of the man, "Give this for fever and that for the chills." "But," she said, "Doctor, they are both alike; I saw you scrape the bark off that root and put the same bark in each glass." "Oh, but you did not notice how I did it," said the doctor. "This for the chills I scraped up on the root, and that makes it high-cockalorem; and that for the fever I scraped down on the root, and that makes it low-cockahirum; don't you see?" [Prolonged laughter.]

That is free trade on the one hand and protection on the other, my friends.

Let me say to you, gentlemen who favor this bill, the argument that has been made in this House puts you in about the same position that an Irishman once was when he found himself in the second story of a hotel that was on fire. He woke up in the night and said to his partner, "Begorra, Pat, we are done for now; the hall is all on fire, and there is no way to escape except through the window." "Well, get on your clothes quick and we will jump out of the window." In his hurry to dress, Pat got his pants on with the buttons behind. He swung out of the window and let himself fall. His partner listened and he heard him thrashing among the boxes and rubbish below. He said to him, "Pat, are you dead?" By that time Pat had felt of himself to see how badly he was hurt, and he found the buttons of his trousers behind. "No, Jim, I am not dead, but I want to tell you I am surely knocked out; I am mortally twisted." [Prolonged laughter.]

Will the gentleman from New York [Mr. PAYNE] tell me, in the name of all that is reasonable, how my action will in any way injure any American or American industry? He can not do it.

In recording my vote against this bill, I enter my protest against

the reduction of the tariff on an article produced in our own country, by which protection is given directly to the farmers. The bone and sinew of the country is the farmer.

You say free trade is death to the American institutions, but if taken in doses of 20 per cent it is a stimulant. How absurd.

Mr. E. F. Atkins, of Boston, who appeared before the Committee on Ways and Means in behalf of his own personal interests and that of Cuban planters, stated that there were some 15,000 small cane planters in Cuba suffering for the want of relief in the way of a reduction of our tariff on Cuban goods coming to the United States; but, gentlemen, you must not forget the 17,000 farmers in the State of Michigan that are raising beets. They, too, want your kind consideration in this matter.

I will now illustrate to you the great importance of this beet crop in my State by giving you some figures, as follows, and I ask your kind and careful attention as I read:

Number of farmers contracting with the 13 factories in Michigan now in operation, year of 1901, 16,848; acres planted in 1901 to beets, 66,400; average acreage per farmer, 4, or 104 square miles of land; average tons of beets raised per acre, 9, or a total of 597,600 tons raised in Michigan last year, which would make a train 302 miles long; average per cent of sugar in beets, 14.1; price paid to farmers, \$4.50 per ton for 12 per cent sugar and 33½ cents for each additional 1 per cent sugar in the beets; average price to farmers, \$5.20 per ton. The total amount paid to farmers for 1901 crop was \$3,107,520; people or hands employed in raising this crop, 33,000; men employed in each factory of 500 tons capacity, 236; annual pay roll, \$69,670; total number of men employed in the 13 factories in operation, about 3,000, with an annual pay roll of \$905,000.

The average annual supplies for sugar factories compose the following items and the cash value of the same:

Coal, each factory, at \$2.50 per ton	\$24,150
Lime rock, 3,220 tons, at \$2 per ton	6,440
Coke, 354 tons, at \$5.25 per ton	1,855
Sulphur	470
Filter cloth	1,252
Oils	500
Waste	75
Chemicals	1,855
Osmose	760
Sugar bags	1,737
Cooperage stock	6,355
Barrel linings	603
Stationery, etc	2,500
Total	48,590

Average output of sugar per ton of beets in Michigan this year is 210 pounds, or a total of 125,496,000 pounds, or 62,748 tons, which makes 4,183 car loads of 15 tons to the car, which would make a solid train load of sugar over 31 miles long. And this industry is only in its infancy in our State and, in fact, the United States. There will be in 1902, if let alone, 200,000,000 pounds produced in Michigan.

The value of this sugar at 4½ cents per pound, crop of 1901, is \$5,647,320, and for the crop in the United States, estimated at 186,000 tons, is \$16,740,000.

The advocates of the proposed reduction of the sugar tariff say we destroyed Cuba's market in Spain. That statement is not correct. I read from official reports:

Cuba's crop for—	Tons.	Exported to United States.		Exported to Spain.	
		Tons.	Per cent.	Tons.	Per cent.
1893	815,897	680,642	or 83	9,448	or 1½
1894	1,054,214	965,524	or 91	23,295	or 2½
1895	1,004,286	769,958	or 76	28,428	or 2½
1896	225,231	235,659	over 104	9,969	or 4½
1897	212,051	202,703	or 95	1,337	or ½

By this it can be seen that the United States took nearly all of Cuba's sugar.

Cuba's imports and exports as shared by the United States and other countries during 1900.

Countries.	Per cent of imports sold to Cuba.	Per cent of exports purchased by Cuba.
United States and possessions	45	68
United Kingdom and possessions	16	12
Spain	14½	2
France	5	2½
Germany	4½	11
All other countries	15	4½
Total	100	100

By this it will be seen that we purchased from Cuba nearly 34 per cent more of her products than she purchased from us.

In 1894 Cuba raised her largest crop of sugar, 1,054,214 gross

tons, the most ever raised in one year of her history, and the United States purchased of this crop 91 per cent, and Spain purchased but 2½ per cent.

If the beet-sugar manufacturers would make raw or brown sugar only and let the sugar trust do the refining we would never hear a peep from the trust through our friend Mr. Thurber, of New York, about the poor Cuban planters.

The Export Company says: "With a lower rate of tariff on sugar the farmer will make jam, preserves, and jelly." Gentlemen, if the tariff is reduced 20 per cent the sugar trust will make jam and jelly of the beet-sugar men.

Let the tariff alone for a few years and we will become skilled in the sugar business and can compete with the world, and at the same time build up the greatest agricultural industry in the world.

In the United States the consumption of sugar during the year of 1900 was 2,486,228 tons of 2,000 pounds each. The annual rate of increased sugar consumption in this country for the past nineteen years has been 6.34 per cent. At this rate of increase, the amount of sugar used in the United States in 1910 will be 4,062,496 tons, or, in round numbers, 4,000,000 tons. The cane area in our country is able to produce not to exceed 1,000,000 tons annually. This leaves 3,000,000 tons which can be furnished from home-grown beets, if tariff legislation remains favorable during the intervening years. Europe, with much less available beet area than the United States, produced in 1900 5,950,000 tons of beet sugar. If Europe can produce beet sugar, we can, if given an opportunity.

To produce 3,000,000 tons of beet sugar annually would require 600 plants, each having a daily capacity of 500 tons of beets. These plants would represent the following investment and annual business:

Investment in plants	\$900,000,000
Working capital	50,000,000
Acres of beets	3,000,000
Valuation of land growing crop	150,000,000
Tons of beets	27,000,000
Tons of sugar	3,000,000
Value of beets	135,000,000
Annual pay roll for labor in factories	42,000,000
Tons coal used annually	5,500,000
Tons lime rock used annually	1,890,000
Tons coke used annually	208,000
Freight paid railroads annually	27,000,000
Annual payments for bags and barrels	6,000,000
Farmers' families raising beets	750,000
Men employed in factories	125,000
Men employed raising beets during season	1,200,000

An industry with such possibilities can be established in the United States within the next ten years. The entire question depends upon tariff legislation. Leave the tariff as it is and the industry is assured. Remove it and this is impossible. Will this gigantic industry be allowed to thrive and enhance the entire agricultural interests of the country, permeating every avenue of business, or will it be destroyed and the sugar market of the United States be surrendered to a trust, whose policy is dictated by one man? If permitted to thrive, the competition between these 600 beet-sugar factories will ultimately reduce the price of sugar far below the price it would reach if controlled by a single corporation. Such reduction will come gradually, as the development of the business under keen competition will justify. The beet-sugar industry stands to-day at the turning point. The trust recognizes this fact and is putting forth every effort to crush the industry. Will Congress stand for the people or the trust? Let me read an extract from the platform of the Republican party, adopted at St. Louis, Mo., June 18, 1896:

#### PROTECTION FOR SUGAR GROWERS.

We condemn the present Administration for not keeping faith with the sugar producers of this country. The Republican party favor such protection as will lead to the production on American soil all the sugar which the American people use, and for which they pay other countries more than \$100,000,000 annually.

All parties advocating reduction have stated that labor is very scarce in Cuba and wages high for Cuban labor.

None complain about 1901 prices, but say they fear the future.

Mr. Atkins stated that we destroyed Cuba's government and gave them nothing in return. Do such remarks come from a patriotic American? I say, no!

Mr. Kelley, of New York, made so little of our beet-sugar industries as to say it supplied the people of the United States but one day in the year. He made a great mistake, for Louisiana produces 350,000 tons of cane sugar and the United States about 186,000 tons of beet sugar. Our insular possessions produced 500,000 tons, or a total of over 1,000,000 tons out of a total consumed of 2,360,585 long tons estimated for 1901.

So you can see that with what sugar is produced in the United States, 500,000 tons, we supply our people seventy-seven and one-third days in the year. The beet sugar supplies us for twenty-three and one-fifth days in each year, or 23½ times as much as figured by Mr. Kelley. We supply about 21 per cent of all consumed.



It has been stated that one-eighth only of sugar land in Cuba is now planted. If that is so, give more favorable conditions and they will produce 6,400,000 tons.

We do not sell Cuba cotton goods, because we do not make the kind they use. Germany does, however, and gets their trade on cotton.

Regardless of imports from Hawaii and Porto Rico our imports of sugar for the year 1901 were 1,360,585 tons of 2,240 pounds and would make 90,705 carloads of 15 tons to a car, or a train 687 miles long.

Do we want to wipe out our home production and make this train 253 miles longer? Others may, but I do not?

Permit me to call your attention to the following:

*Beet-sugar product of Europe.*

	Tons of 2,240 pounds.
1870.....	900,000
1880.....	1,810,000
1890.....	2,780,000
1900.....	5,532,000

*Beet-sugar product of the United States.*

	Tons of 2,240 pounds.
1892.....	12,018
1895.....	29,220
1897.....	40,399
1900.....	76,859
1901.....	188,000

*Beet-sugar product of Michigan.*

	Pounds.
1898, 1 factory.....	5,271,406
1899, 9 factories.....	23,192,873
1900, 10 factories.....	53,661,265
1901, 13 factories.....	125,466,000
1902, 17 factories (estimated).....	195,501,600

No new factories have been contracted for since this tariff agitation began. Please do not overlook that important fact.

Seven or eight million dollars was paid by Michigan consumers in 1898 for foreign sugar. Five million six hundred and forty-seven thousand three hundred dollars was received by Michigan in 1901 for her own sugar crop. This year we will produce more than we will consume, and therefore will keep all that money at home.

The sugar trust fixes the price it pays for sugar in Cuba. They fix the price sugar sells for here and the beet and sugar-cane producers of the United States must and do come to sugar-trust prices.

Last fall sugar was sold west of Missouri River by the trust for 3½ cents per pound. Why was this done? For the sole purpose of driving out home production. The trust managers are moving heaven and earth to accomplish the destruction of this industry.

The Republicans and Democrats alike in the 1900 campaign howled "Down with the trusts." Did you mean it, gentlemen? If so, now is the time to down a trust.

If the benefit will go to the consumer, why not remove the duty on refined sugar. Oh, no. Mr. Place says, "Leave that alone." A sugar-trust proposition.

There are millions of capital in this country awaiting the opportunity, but must have protection or no investments will be made.

What industry in the United States is now suffering for want of a better market in Cuba? None that I know of.

Our importations of sugar for year of 1901 were from—

	Tons.
Germany, beet sugar.....	225,000
East Indies, cane sugar.....	300,000
British West Indies, cane sugar.....	110,000
South Africa, cane sugar.....	100,000
Cuba, cane sugar.....	580,000
From all other countries.....	285,000
Total.....	1,600,000

Reciprocity means let in goods from foreign countries that we do not produce if that country will take our goods in exchange.

In conclusion, gentlemen, I appeal to you to stand by Republican principles, which is protection to American industries against foreign, cheap labor products. Charity begins at home. Come with us and help to hold up the arm of the American farmer and American laboring man, and while doing this we protect the American manufacturer.

The balance of trade with Cuba is now, and has been for the past three years, against us to the extent of about \$11,000,000 annually. What more can Cuba ask of us in justice? I say nothing. If Cubans are suffering we must help them, but not at the expense of the American farmer. [Loud applause.]

The CHAIRMAN. The gentleman's time has expired.

Mr. NORTON. Mr. Chairman, we are told by the chairman of the Ways and Means Committee that "our relations with the island of Cuba are peculiar." I quite agree with him on that proposition, but, sir, it seems to me that there are a great many things connected with this bill that are also "peculiar."

It is well known that on the 20th of May next Cuba will start on a new career; that as an independent republic it will take its place among the nations of the world.

There is no desire on the part of any patriotic American other

than that the most prosperous and glorious destiny shall attend the future career of the new republic.

We, as a nation, have performed our duty in freeing Cuba from a brutal oppressor, have relieved it from the bondage of subjection, and now, at a somewhat belated date, it is true, we are to leave it to stand alone, a free and independent nation in every way except—and, sir, these exceptions make all our claims that we make Cuba free and independent a hollow mockery. Still, we permit the people of Cuba to go through the formality of organizing a government and to play at having a stable, independent, and free nation, while with the limitations we enforce upon them they can never rise above a dependency of the United States.

For years past "protection" has been the rallying cry of the Republican party; and the chairman of the committee in charge of this bill, who drank in protection from the columns of the New York Tribune in the days when it was a great newspaper; who had a part and share in the framing of the McKinley bill, and also stood as one of the sponsors of the Dingley tariff bill; he, who has been a most ardent protection advocate, now comes to us and, with face turned back on all his previous history, strikes a blow at the policy of protection, so long and forcibly championed by him. Now, I gladly welcome this gleam of reason shown by him, and wish it was only lasting, or that it would extend to the American home industries and not waste all its sweetness on our neighbor. I wonder, though, that his sleep is not disturbed by the hideous bugaboo of free trade. True, this bill is not a free-trade measure, only 20 per cent of free trade.

This is heralded as an Administration measure, and because it is such the Republican leaders are willing to turn aside from their former alleged convictions, nullify their previous records, and forget the big words they have uttered hitherto. This, however, has not been a difficult task for them. Consistency is the least and rarest among the qualities of Republican leaders.

The situation is peculiar. There are the friends of the committee bill who have no hesitancy in "going it blind" when the Administration sets the pace; then there are those who want a larger cut, and there are also a very respectable minority who declare that they are the only consistent Simon-pure Republicans, believing and advocating that the Dingley tariff bill be not changed. These last are true protectionists and want their interests protected, and fear that if the rocky wall of protection be weakened 20 per cent, it will not be long before the whole wall tumbles into ruin.

The chairman pleads for and claims there is necessity for a reduction of 20 per cent in rates on sugar imported from Cuba into the United States. And what are his reasons, what his arguments? Disclaiming any sentiment, he says that, having set Cuba up in housekeeping and business, we must, in fact, it is our duty, to do what we can to make the experiment successful.

We have rescued Cuba from Spain, renovated the cities, and made them clean and healthful; built railroads, making transportation cheaper; put millions of money in circulation in the island; started enterprises that require so much labor that sufficient laborers can not be found, and so increased wages that the laboring population of the island have never in all their history been so well-to-do and prosperous. All this we have done as a nation at the cost of many lives and expense of many millions, besides entailing upon us the Philippine problem, and yet there are some individuals among them who are dissatisfied and want us to discriminate against other nations, as well as our own people, and give them special opportunities in our own home market. This is the full purport and purpose of this bill.

Hampered and liable to be thwarted by a number of Republican members, fearing defeat, the chairman of the committee calls upon Democrats to come to his relief and assist him to pass the bill. Knowing the opposition of the Democratic party to any tariff but for revenue only, he appeals to us for aid in breaking the Dingley high tariff bill in one section alone. The Administration and the Committee on Ways and Means having put the Republican party in a hole, Democratic assistance is wanted to help them out.

Now, I would ask the members on this side of the Chamber, are any of you willing to antagonize the interests of a large number of American industries to please a trust, to help the Administration leaders to pay their political debts? Will you hang on the rear steps of the Republican band wagon or follow at the tail end of the Republican fire department? Will you sacrifice the good of the American people for the benefit of a trust, simply because the committee bill, in a measure, throws a sop to Democratic principles.

I sympathize with Cuba, and my hopes are that this young Republic may prosper and increase. I advocated armed interference in her behalf. I contended that this Government should intervene and drive the Spaniard from the Western Hemisphere and set Cuba free.

The leaders on the Republican side to-day, the advocates for

this pretended Cuban relief bill, in 1898 sat silent in their seats and throttled free speech in the defense of Cuba upon this floor month after month, and now they want to pose as friends of Cuba.

The same hand that held them back when the expression of encouragement would have been of material aid to the Cubans is now pushing this bill.

I sympathize with Cuba, and am not indifferent to her needs. I am in favor of giving the people of that country every aid that we can, but I do not believe in doing so to the detriment of the people of my own land.

Cuba may be a subject for charity, but "charity should begin at home."

The advocates of this bill have represented affairs in Cuba as being in a desperate condition, and deceived many. From their statements I had been led to believe that the people were nearing starvation, yet the true facts in the case are these: "While the masses of Cuba are not actually suffering from lack of food, the planters and business men are on the verge of collapse and bankruptcy, and are anxiously hoping for concessions in the United States tariff." This is the statement of one who within the past month has been through the island of Cuba.

It is financial distress that seems to be threatened, and to relieve which we are asked to pass this bill; but there arises the fact that it is not the Cuban people who are in such straits. Sugar is not the sole industry in Cuba, although it may be the greatest; but it has been shown here on this floor during this debate that the sugar trust controls nine-tenths of the sugar production of Cuba. Now, should this bill pass, our revenues will be reduced about \$8,000,000 annually, with no reciprocal benefit to the American people. The people of the United States consume each year about 2,400,000 tons of sugar, and the price is fixed by the sugar trust.

If this bill passes, will the price of sugar be reduced to the consumer? Most assuredly not. One of their claims even now is that Cuban sugar can not be produced at the present price and afford a profit. So the effect of this bill will be to put into the pocket of the sugar trust the lion's share of this \$8,000,000 reduction and not a hundredth part of a cent's reduction in the price to the consumer.

Ought the United States Government to discriminate in this manner? Ought we to legislate to confer benefits upon one industry, no matter how great, at the expense of the rest of the business interests of the country?

I am for the people of my own country first, last, and all the time. Their interests are my interests and their good my good; and I want to say to the advocates of this bill that when you extend to every other industry the concessions you offer sugar I am with you.

If you give Cuba a reduction of 20 per cent on sugar, give the people of the United States a reduction of 20 per cent on wire fencing, on lumber, on steel, on hides, and wood pulp, and all the articles now controlled by trusts, and I will join you with my vote. When you propose to ease some burden from a foreign country or a favored trust in this, I challenge you to remove the burden of your iniquitous tariff from the people of this land, who are bowed down to the earth with burdens grievous to be borne.

The people will stand some kinds of injustice with only a little grumbling, but they will not consent to being robbed of the necessities of life by a trust that has no other purpose than to increase its profits to the full extent of its power.

The CHAIRMAN. The gentleman from Iowa [Mr. HEPBURN] is recognized for twenty minutes.

Mr. HEPBURN. Mr. Chairman, in this morning's issue of the Washington Post I found a column headed, "A Bomb in Caucus—Republican Proposition to Southern Democrats—United Front on Cuba," and so on. Later on I read, "From the very outset, the caucus was of an exciting character. Mr. UNDERWOOD, of Alabama, who got the floor immediately after the meeting was called to order, threw a bombshell into the caucus by announcing that overtures had come to him from the Republican side, by which it was to be agreed that the Republican leaders would abandon the Crumpacker resolution to investigate the Southern election laws if the delegations from the States concerned (North Carolina, South Carolina, Alabama, Mississippi, Louisiana, and Virginia) would aid the majority to close debate and would vote against the appeals which would be taken from the decision of the Chair when the motions to open up the bill to general amendment are offered."

Mr. Chairman, it seems to me that that statement, if true, and that declaration, if made by the gentleman from Alabama [Mr. UNDERWOOD], is of a very serious character. It charges certain members of this House with attempting to traffic in the legislation before this body, charges them with a willingness to sacrifice measures that by many are deemed to be of most important character in order to secure the ultimate triumph of the bill now pending. I believe that the gentleman from Alabama was mistaken. I think that he has been misinformed, but at the same

time I believe that it is his duty to this House to be more explicit, and to locate this offense where it properly belongs. I believe he is mistaken, for many reasons. Among them is, in a certain sense, the insignificant character of the proposition now before the House. Further is the fact that, in my judgment, but few gentlemen in this House are solicitously anxious for the success of the pending measure. [Applause.]

There are two places in this body where votes are taken—one here under the publicity of a roll call and one in the cloakroom. I do not hesitate to say that from the cloakroom vote it is a safe statement that 90 per cent of all the Republicans upon this side are indifferent or are opposed to the present measure. [Applause.] You hear it upon all hands. In the retirement of the cloakroom there are no urgent advocates for the passage of this measure. I am further persuaded that I am correct by arguments that I have heard upon this floor. I listened with great attention, as I always do, to the utterances of the gentleman from Ohio [Mr. GROSVENOR] on my right. I remember what he told us. He said that when this proposition came to him, coupled with a 50 per cent reduction, he indignantly spurned it. When the proposition came for a 40 per cent reduction, again he refused; and then at 30 or 33, again he refused. And finally, quoting his language, when the ultimatum of 25 per cent was proposed, again he said he would have nothing of it. But when they came at him with that other ultimatum—20 per cent, when that little nickel differential appeared—then it was that his virtue weakened. [Laughter.]

Think of it, Mr. Chairman, he depicted here the unfortunate position in which the "reconcentrados" were, in which the "insurgents" were, "those who were engaged in the division of the great Republican party," "who were destroying the integrity of its councils," and "who were in revolt against authority and the leaders of the party," as being of the most serious and pernicious character. Yet think how nearly he came to being in that most unfortunate plight. [Laughter.] If that nickel had never appeared above the horizon of his vision, he would have been a reconcentrado. [Laughter.] He would have been to-day an insurgent. He would have been a rebel against authority, and he would now be engaged, quoting his own language, in dividing the Republican party and imperiling the future of the Republic.

Great God! On what a slender thread  
Hang everlasting things!

[Laughter.]

Mr. Chairman, I have listened with great attention to this debate. I listened to the great speech of the gentleman from Kansas [Mr. LONG] the other day—a great speech in certain lines. I think he spoke for two hours and thirty-five minutes; to be minute and accurate, one hundred and fifty-five minutes. I thought it was, physically speaking, the greatest effort of human endurance that I had ever witnessed. [Laughter.] And I thought then that if the gentleman had begun in time and had had proper training, and had the moral qualities, there might be yet a great future before him in the prize ring under the Marquis of Queensbury rules. [Laughter.]

But I was sorry, Mr. Chairman, to see so much of physical endeavor devoted to the destruction of what I supposed to be the Republican idea of reciprocity—that policy of ours that was to aid protection, that policy of ours that was to enlarge the labor field, that policy that was to make more of days' work in this country, that was to augment the wage, that was to bring more of comfort into the homes, that was to give more of stability to the political power of this country through contentment, and that was to serve the purposes of the great Republican party in lifting up the labor of this country and giving it its proper status in this land. I did not know until I heard his speech that it was to be used as a convenient vehicle by which particular gain could be brought to particular men without regard to this vaster question of the benefit of labor of the United States.

Mr. Chairman, in my judgment this question is not of the importance that it has been given by the proceedings of this House. There are certain propositions that we may consider as settled that are involved in it. The gentleman from Pennsylvania [Mr. DALZELL] has settled one. He has stated in most emphatic terms that we owe no debt, moral or pecuniary, to the people of Cuba. I take it that that is settled. It is settled, I think, from the admissions that have been made here and the testimony taken before the committee, that there is no suffering in Cuba—that Cuban labor is employed. Mark it. That is the language of four or five witnesses, emphatically saying that all are employed. Only one, I think, has differed from the positiveness of that statement, and he said all outside of Habana. It is all employed at wages far beyond those heretofore known to the Cuban laborer. So that there is no question of suffering there. Those propositions, I think, may be regarded as settled.

Who will be the beneficiary of the possible \$10,000,000 or more that will be the result of this legislation? Gentlemen have read



letters here from officials in Cuba, some of them dated many weeks ago, with relation to the present location and ownership of the sugar crop. But I take it that is not the question. The question is, Where will that location be when this legislation becomes effective? Mind you, it does not go into effect in its beneficial influences to Cuban people when it receives the signature of our Executive. It still depends upon action to be taken in another tribunal, a new tribunal in the way of legislation, whose first days and weeks and months perhaps will be devoted to the establishment of a government, with relation to governmental matters of primary importance with which they are entirely unfamiliar. It will be months before this act can be operative. Where will the sugar crop then be?

The important question for us to consider, I think, if we owe something to those people, and if we propose to relieve their necessities, is, Will this act carry out that charitable and kindly purpose? Gentlemen have told us that the price of sugar is always fixed in the Hamburg market. Possibly, as a rule, that may be true; but, gentlemen, are there not conditions here that disturb that rule? Here is a surplus of eight or nine hundred thousand tons of sugar more than the world's demand. That is upon the market. In this country practically there is but one buyer. With that great surplus seeking a market, with that one buyer undisturbed by competition, will he not fix the prices to suit himself, and in that way gather into his pocket this kindly aid that you are proposing for destitute Cubans? It so appears to me, and therefore that is a valid reason to my mind why I am willing to aid in preventing this legislation.

But, Mr. Chairman, there is another phase of this question that, in my judgment, has not received sufficiently the attention of the thoughtful gentlemen of this House. I refer now to the conditions that we propose to impose upon the people of Cuba prior to their securing the aid that we are proffering them in the bill. I saw a letter from a distinguished citizen of my own State a few days ago, written after extensive journeyings throughout the island of Cuba. I know that he is a thoughtful, observing man, that he went into the island for the purpose of informing himself as to the actual conditions with reference, doubtless, to the future employment of large capital in the island. He writes, among other things—

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCLEARY. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Iowa may be extended.

The CHAIRMAN. The Chair does not see how that can be done under the arrangements that have already been made. It is understood that the colleague of the gentleman from Minnesota [Mr. TAWNEY] and the gentleman from Pennsylvania [Mr. DALZELL] should have an hour and a half each to close the debate. That is the understanding up to this morning, and they will now have but one hour or a little more.

Mr. TAWNEY. Mr. Chairman, I ask unanimous consent that the time for closing debate be fixed at 4 o'clock, or half-past 3 o'clock.

The CHAIRMAN. The order having been made in the House, the Chair thinks the committee could not change it, and that it would be necessary to go into the House.

Mr. DALZELL. Mr. Chairman, I give to the gentleman from Iowa five minutes of my time. [Loud applause.]

Mr. HEPBURN. I am very grateful to the gentleman from Pennsylvania. Mr. Chairman, this gentleman having taken—

Mr. TAWNEY. If the gentleman can not finish in the time allotted him, I yield five minutes to him of my time. [Applause.]

Mr. HEPBURN. As the result of these observations, he tells us that less than one-tenth of all of the surface of Cuba is now under cultivation; that nine-tenths of it, incalculably rich, are now unproductive. Gentlemen have told us that have appeared as witnesses the reason why that is true; it is because the labor of that island is now all employed in the cultivation of one-tenth, and without we add nine-tenths in addition, with all the advantages that are conceivable in a fertile soil, with a climate such as that of Cuba, there is an inexorable limitation put on them. It is a want of labor. We experienced a difficulty of this kind, and while we had unoccupied land in the United States we invited immigration. There were no restrictions until the farms were occupied; until all our vast public domain susceptible of unaided cultivation was under the domain of the homesteader.

Now, what are we proposing to do to Cuba? Their great want just now is labor—population. We say to them, we will give you this pittance of \$10,000,000 provided you will adopt our exclusion laws, our contract-labor laws, our immigration laws that we would not tolerate, that the people of the United States gave no indorsement to until the ten-tenths of our lands had been brought under the plow. We propose to be a great sugar-producing State; but we say to Cuba that by this legislation you must limit your output to 850,000 tons, although her soil is capable, if these restrictions are not put upon her, of producing 5,000,000 tons.

And we do that in the name of charity and kindness! What will the critic of the future, the man who writes the history of this epoch—what will he say of the generosity of the United States?

I do not know who is the author of this bill. I know if everything that has been said to the disadvantage of the Yankee; if he was, as he is not, all that has been said—grasping, avaricious, cunning, adroit, always looking out for his own interest, careless of the interests of other people or the rights of other people—then I say that this bill was written by some Yankee. [Laughter.] I believe that we can not afford to pass this bill with these conditions in it. Gentlemen have said that there is going to be no harm resulting from this; that 20 per cent is a very little matter; it does not amount to anything. It does not in a sense. It may be the beet-sugar producer will go on producing beets, but no other man will put his large capital—\$600,000—into a plant to further foster the industry.

I would like to ask the gentleman from Pennsylvania [Mr. DALZELL] what he would have said if in 1892, early in the year, when a few tin plate manufacturing plants had been established under the McKinley tariff bill, if at that time that industry had been assailed in the house of its friends by a 20 per cent reduction of the duties upon tin plate? What would he have said? Possibly that even under these rates those in the business might still endure; they might go on; but would other capital have been invested in other plants, and would we be in a condition that we now are, producing all, or substantially all, of the tin plate we need, giving employment to a quarter of million of people, and bringing comfort into the homes of hundreds of thousands? He would have regarded such a procedure as an assault upon the future development of the industry. That is what we fear in the case of the beet-sugar industry.

I look forward to the time when we will produce within the limits of the United States—and I believe it will come within the next ten years if no hurt is done to the encouragement of the industry—when all of the sugar that we consume, probably then 3,000,000 tons, will be produced within the limits of the United States; that we will save at home more than \$125,000,000; that we will diversify our agricultural industry; that we will have the benefit to come from that diversification; that we will have the benefit of the restoration of the land through the use of the by-products; that incalculable advantages are to come to us if we will simply let alone the conditions that now exist.

That is all that we ask; we are asking for no additional rates, but simply ask to maintain in good faith what has been promised, having some regard for the language of the gentleman from New York when in his memorable speech he told us that the tariff then enacted was to stand for twenty-five years. [Applause.] But now the gentleman has discovered that "that was before the wah" [laughter]; the Spanish war, I mean. He is somewhat like that lady down in southern Virginia, who, out with her lover on a stroll, a Northern chap, admiring the moon, suggested that he ought to have seen that moon before the war. [Laughter.]

The CHAIRMAN. The time of the gentleman from Iowa has expired.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LACEY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and a joint resolution of the following titles; in which the concurrence of the House of Representatives was requested:

S. 3896. An act to amend section 3362 of the Revised Statutes, relating to tobacco;

S. 4868. An act granting an increase of pension to James H. Walker;

S. 5062. An act to authorize the county commissioners of Crow Wing County, in the State of Minnesota, to construct a bridge across the Mississippi River at a point between Pine River and Dean Brook, subject to the approval of the Secretary of War; and S. R. 82. Joint resolution providing for the printing annually of franks required for sending out seed.

The message also announced that the Senate had passed with amendment a bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 13031. An act to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

#### RECIPROCITY WITH CUBA.

The committee resumed its session.

The CHAIRMAN. The time remaining, two hours and twenty minutes, will be equally divided between the gentleman from Minnesota and the gentleman from Pennsylvania, if there is no

objection. [After a pause.] The Chair hears none. The gentleman from Minnesota is recognized for one hour and ten minutes.

Mr. TAWNEY. Mr. Chairman, it is a matter of regret that any of my party associates should differ with me on a question involving party policy, party pledges, and party honor. Yet there is some satisfaction in knowing that to defend our respective positions they, and not I, must depart from one of the cardinal principles of the Republican party—the principle of protection where that principle is necessary to the development of any American industry. [Applause.]

From some things that have been said in this debate concerning Republican differences upon the pending bill, it might be inferred that this is the first time that party division has ever occurred in this House; the first time that individual members have declined the personal "thrill that follows fawning," and dared stand by and defend their convictions of right and duty to their constituents, their party, and their country.

Those of us who have served on this floor for ten years or more are well aware of the fact that party division on questions pertaining to the carrying out of Executive recommendations is not an unusual but a common occurrence. We remember that in the Fifty-third Congress the distinguished leader upon this side of the House, Hon. Thomas B. Reed, of Maine, voted in committee and on this floor with some of his most distinguished party associates and against the majority of their party in favor of issuing gold interest-bearing bonds. We also remember that in the next succeeding Congress Mr. Reed was elected Speaker of this House by the unanimous vote of his party.

Many other notable instances of this kind might be cited, especially when questions involving the tariff were pending. The RECORD of the Fifty-first Congress contains a very vigorous, emphatic, and eloquent speech, delivered by the distinguished gentleman who now presides over this House, criticising severely certain provisions of the McKinley bill, because, in his judgment, that bill discriminated against the farmers of the West and in favor of the manufacturers of the East.

These instances of party division and of individual independence are cited only to show that not until recently has it been considered an act of party disloyalty or treason to party to oppose that which a minority of your party in this House proposes.

In this case anger and wrath have been poured upon the heads of party associates because, unlike some of their colleagues, they have not deemed it either politically wise or for the best interest of their country to surrender their convictions on this question and perform the acrobatic feat so successfully performed by others. Our motives have been impugned, and we have been subjected to insults upon this floor because we oppose the plan by which the leaders on both sides of the House propose to carry out the recommendation of the President respecting Cuba, and also because we propose a plan different from theirs. We are told that in doing so we are endangering the future success of our party and our future control of this House. Passing the assumption of superior political wisdom implied in this accusation, how, I ask, can the success of the Republican party be put in jeopardy by opposing a measure that three-fourths of the Democrats on this floor will vote for? When did the Republican party become so weak and impotent that to insure its future success we must favor such propositions affecting protection and reciprocity only as are approved by the Democrats on this floor.

#### WE WOULD PROMOTE CUBA'S WELFARE.

It can not be claimed that because we oppose this bill for the alleged relief of Cuba we are opposed to that which will promote the welfare of her people and government, a government soon to be launched upon the sea of national independence. On the contrary, throughout this controversy we have urged the adoption of a policy intended to give to the empty treasury of Cuba the money needed to enable the government to meet promptly every just obligation and continue that splendid system of sanitation inaugurated and successfully carried out under American rule, and to enable that new government to make such internal improvements as are necessary and which will afford employment to her people and inspire hope and confidence in the future success of their little republic.

#### STATEMENT OF REASONS FOR OPPOSING BILL.

In order that the disinterested millions of our countrymen may know the exact truth in regard to our position and the grounds upon which we have from the beginning opposed this proposed reduction of the duty upon the products of the American farm for the benefit of Americans and foreigners in a foreign country, I will here present the statement of our reasons, so ably and tersely set forth in the paper prepared and recently presented to the Republican conference on the pending proposition by Hon. ROBERT W. TAYLER of Ohio, who so worthily represents that district so long and ably represented by the man whose life was devoted to his country and to the principle for which we who oppose

the passage of this bill are now contending—the late Hon. William McKinley. [Applause.]

We oppose the proposition to reduce the tariff on Cuban products coming into this country, because it involves a relaxation of the protective principle.

The Republican platform of 1896 condemned the Democratic party for not keeping faith with the American sugar growers. We seek not to merit for ourselves the same condemnation.

The proposition to reduce the sugar tariff is unwise and unjust because—

1. It constitutes, in essence, an abandonment of the protective principle, even though it removes only one-fifth of the duty imposed by the Dingley law. And this abandonment is most unhappy, because applied to the pursuit of agriculture in the most conspicuous instance in which specific and manifest protection is given to the farmer, and at the moment when the sugar-beet industry is not only in its infancy, but in an infancy so lusty and promising as to demonstrate the certainty of a rapid and prodigious growth. The beet-sugar industry exhibits in the most perfect form we have yet known the most approved principles of protection.

Heretofore the farmer has been compelled to find his justification of protection, from the standpoint of personal interest, in the prosperity reflected from the industrial artisan, and in the main he has, through good report and evil, been bravely loyal.

Since our platform of 1896 gave a party's guaranty of permanence the people took us at our word, and we have demonstrated that in the beet-sugar industry we could, more vividly than in any other enterprise, illustrate to the American farmer on his own broad acres the beneficence of the American system of protection.

The American market for over \$100,000,000 worth of sugar annually is rightfully his. We shall encourage no policy which delays the time when he shall come into his own.

2. As to the fancied duty to Cuba because of a distress which is only apparent in the admitted fact that every man on the island has all the work he can do at higher wages than he ever before received, we have only to say that the low price of sugar is a mere business condition of temporary character (the cause of which has probably been removed within the past few days by the Brussels conference), and that to compromise with it on the terms proposed is, in its interference with the policy of protection, to pay too high a price for all the good that can possibly come to those whom it is intended to benefit.

The proposition is to undertake to insure commercial and industrial prosperity in Cuba, a foreign country and a foreign government. If we undertake it, when and where are we to stop?

It is a startling proposition, entirely outside of our governmental functions and our constitutional power.

Whenever we have undertaken to insure commercial and industrial prosperity in the United States, our own country, by means of a protective tariff, we have been bitterly assailed on the ground of paternalism.

Now, at the expense of our own labor, our own capital, and our own industry, and largely at the expense of a single industry, without reducing the cost of sugar to the American consumer, we are asked to extend the paternal hand to a foreign people on the ground that, having given them liberty, we are morally obligated to secure them commercial and industrial prosperity, even at the sacrifice of our own interests.

We emphatically deny that we are under any such obligation, morally or otherwise.

We insist that such an undertaking subjects the Congress of the United States to the charge of being false to its constitutional obligations, untrue to the people it represents, and, from a political standpoint, false to the pledges made by the party to the people when it asked and received their support.

3. Entirely independent of its effect on the beet-sugar industry as a present fact in established concerns, it would smother the further development of the industry through the scores of plants now in various stages of active advancement.

An industry which has grown fivefold in the last four years, and doubled since 1900, has in it the certainty of a future development so stupendous as to beggar prophecy, and appeals with cogent force to our national pride.

4. In so far as the proposition professes to be in the line of Republican reciprocity, we assert that it is essentially a denial of that great policy. We deny that reciprocity is desirable except as a corollary to the greater policy of protection. Republican reciprocity, wise reciprocity, does not seek an exchange of products at the expense of any American industry; it does not seek to give; it does not give commercial advantage to any foreign product which comes into competition with our own products; it does not seek an exchange of products which deprives any American artisan of his work or any American farmer of an opportunity to profitably till his soil.



This was explicitly declared by McKinley in his Buffalo speech in the following words:

By sensible trade arrangements which will not interrupt our home production we shall extend the outlets for our increasing surplus.

And by President Roosevelt in his annual message in these words:

And that reciprocity be sought for so far as it can safely be done without injury to our home industries.

5. To say that the duty on sugar is to be lowered on the plea that it helps Cuba is to say that it must always be lowered when Cuba needs help, and a reduction of one-fifth by the House of Representatives means that elsewhere, both in and out of Congress, the extent of that reduction shall be measured by the varying views of those who consider it.

It must therefore follow that the protective principle is to be subordinated to the question as to what amount of help Cuba may need.

With such a policy declared by a Republican majority, what wise business man can be induced to invest his money in the beet-sugar industry? What promise will there be of its future development?

And if that Republican majority is once constrained to such a policy, what license have we to believe that the citadel of protection will not be further assaulted in the house of its friends. When that time comes the days of Republican supremacy will be numbered.

We pledged our faith in 1896 to the sugar growers of the country, and they took us at our word; in 1897 we kept the faith and passed the Dingley law; and the people, relying on that law and our party pride and traditions, proceeded to develop, in amazing proportions, the industry which we specifically encouraged them to enter.

We are told that the pending proposition will not hurt the beet-sugar producers, but surely no one anywhere has asserted that it would help them.

A tariff measure which has the unanimous indorsement of free traders is not above suspicion, and a search warrant will not be needed to find all the protection that is hidden away in it.

Never more earnestly than at this hour have we been summoned to our duty; never has the cause of protection—to which we owe our party success and our national prosperity—more needed our undivided and unflinching support.

#### RELIEF AND RECIPROCITY WITHOUT INJURY TO ANY AMERICAN INDUSTRY.

Mr. Chairman, that the country may also know how we have proposed to carry out the recommendations of the President, aid Cuba, and secure reciprocity with that island, I will submit as part of my remarks the proposition presented to the Republican conference by that stalwart Republican from Ohio, Hon. CHARLES DICK, on behalf of the Republicans who oppose the pending bill, together with the statement which Mr. DICK at the same time presented, setting forth the advantages of our plan for the relief of Cuba over the one now before us.

*Resolved*, That it is the sense of this conference that the Committee on Ways and Means be directed to report to the House a bill for the relief of Cuba substantially embodying the following: That the President be authorized to enter into a commercial agreement with the government of Cuba, when the same shall have been organized and established, whereby on account of the relations which have existed between the United States and Cuba since 1898, and in consideration of such reduction of duties as shall be satisfactory to the President on goods, wares, and merchandise the growth or product of the United States imported into Cuba, he shall agree to pay each year, for three years, to the government of Cuba a sum of money equivalent to 20 per cent of the duties collected and paid into the Treasury of the United States on goods, wares, and merchandise the growth or product of the island of Cuba imported into this country.

Adhering to the statement we have heretofore made to this conference expressing our reasons for opposing a reduction of the duties on the products of Cuba and in the interest of harmony, and for the purpose of affording relief to Cuba, if such relief is needed, and mindful of the fact recently developed that during the last fiscal year there was a deficit in the public treasury of the island of Cuba of nearly \$500,000, we submit the following additional statement of our reasons therefor:

1. It will afford relief both to the government and the people of Cuba.
2. It makes certain that Cuba and her people and no one else will be the beneficiaries of our action.
3. By its adoption we keep faith with the people of this country and the people of Cuba.
4. It does not violate our national party platforms of 1896 and 1900.
5. It does not disturb existing conditions in this country.
6. It does not alter or modify any schedule of the present tariff law.
7. It does not injure or discourage any domestic industry or prevent its further development.
8. It avoids an inopportune agitation of questions affecting industrial conditions of unparalleled prosperity.
9. It would secure reciprocal trade concessions from Cuba and give time to ascertain the value of such trade relations between the two Republics under existing conditions.
10. Its reciprocal feature furnishes a consideration which makes the proposed measure of undoubted constitutionality. It is as competent for Congress to purchase trade concessions from foreign countries as to purchase naval or coaling stations.
11. It is sustained by precedent since the establishment of our Government, and particularly by the legislation refunding duties collected on the products of Porto Rico and the Philippine Islands.
12. It affords the means and opportunity for successfully inaugurating and permanently establishing the new government of Cuba during a time which the experience of all nations has shown will be its most critical period.

13. It affords relief until the present adverse trade conditions affecting the price of sugar shall have been improved by the abolishment of European sugar bounties.

14. It discharges every obligation assumed by us under the provisions of the treaty of Paris, the Platt amendment, and by our intervention to secure the independence of Cuba.

This proposition, sir, was not made because of any distress, either present or prospective, in Cuba or because of any recognized obligation, resting either upon honor or otherwise, to insure the industrial prosperity of a foreign country. On the contrary, it has been admitted from the beginning by many who are urging the pending proposition that there is no distress in Cuba, and the distinguished gentleman from Pennsylvania [Mr. DALZELL], who will follow me, together with many others upon this floor, has publicly declared that, as a nation, we "are under no obligation to Cuba, either legal, equitable, or moral."

The proposition, therefore, to refund to the government of Cuba 20 per cent of the duties collected at our ports on her products was offered as a compromise of our difference as to the necessity or the expediency of our doing anything in the premises. This proposition is in line, too, with our policy in respect to aiding Porto Rico and the Philippine Islands, adopted for the very reason that we insist upon its application in respect to Cuba. Is it inapplicable as to Cuba because the powerful interest behind this agitation will not reap the benefit of duties it is certain to gain from a reduction of duties?

#### AMERICAN PEOPLE DECEIVED AS TO CONDITIONS IN CUBA.

At the beginning of this session of Congress there was a public sentiment in favor of "doing something for Cuba." But the evidence since taken before the Ways and Means Committee, commencing on January 15, 1902, proves conclusively that this sentiment was based upon erroneous information in some cases and in others upon absolutely false statements concerning conditions in that island. It is a notable fact, too, that since the taking of this testimony and its dissemination among the people there has been a radical change in public sentiment upon this question. I might cite numerous instances of this, but I will not stop to do so.

Mr. Chairman, it would require the use of a kaleidoscope to correctly represent the shifting ground upon which this legislation has been asked. First it was based upon the sympathy of the American people for the people of Cuba, who were represented to be in great distress, and also upon the ground that it would reduce the price of sugar to the American consumer. This last representation was made to the people through the press upon information furnished by Willett & Gray, agents of the sugar trust. Six months ago we were told that hunger and starvation prevailed in Cuba; that business men were being forced into bankruptcy, and that a deplorable condition of affairs, financial and industrial, existed generally. It was upon this ground that the Congress was first urged to do something immediately for Cuba. These representations were continued even up to the time the Committee on Ways and Means commenced the investigation of this question. On January 15, page 66 of the testimony, Mr. Mendoza, a sugar planter in Cuba, said:

Of course, we do not know what is going to happen, and that is why we have come to the United States to beg that something shall be done in our favor instead of coming later and begging for charity. I think it would cost you more to feed us and put things in order in Cuba than to afford us this relief at this time. Not because we are going to fight, but because the people are going to starve. They are not going to perish with yellow fever or typhoid fever; that is all past. \* \* \* But the stomachs of the inhabitants are empty, and I fear that the consequences of the reconcentration policy of General Weyler are going to come up again in a different way.

Mr. Placé also said:

Mr. TAWNEY. That does not answer my question. Do you propose to maintain internal taxes?

Mr. PLACÉ. Yes, sir. We have to come to some conclusion; I do not see any other way. Our custom-house pays from \$15,000,000 to \$16,000,000, or rather has until to-day. As things are now we have only six weeks to live, and inside of six weeks we are busted. As soon as we have to face the payments at the end of this month I would like to know how we are going to do it, and we have to declare ourselves out.

It is evident from this testimony that these two Cuban witnesses intended to convey to the committee and to the country the impression that a most horrible condition of affairs existed at that time upon the island, for Mr. Mendoza said, "But the stomachs of the inhabitants are empty," and then, to impress more deeply upon the committee the then present conditions of the people, he falsely likened that condition to the consequences of the reconcentration policy of General Weyler. If these statements had been true they would have appealed to us as strongly as they did to our constituents three months ago, when they were made to them through the press. But they were false, as Mr. Mendoza and Mr. Placé were obliged to admit. The answers to the following questions only go to show to what extent these and other witnesses and that powerful interest behind this agitation has gone to deceive Congress and the country for the purpose of securing a reduction of duty that will make the production of sugar in Cuba more profitable than it is to-day, and at the same

time increase the profits of the sugar trust and its power to crush our domestic beet-sugar industry, its only rival:

#### LABOR IS FULLY EMPLOYED.

Mr. TAWNEY. Is labor generally employed on the island outside of Habana?  
Mr. MENDOZA. Sir?

Mr. TAWNEY. Is the laboring class now generally employed on the island outside of Habana?  
Mr. MENDOZA. It is. All the sugar plantations are working by this time. They are all employed. There is plenty of work for the workmen in Cuba to-day.

Mr. TAWNEY. And at good wages?  
Mr. MENDOZA. Well, not very good, because the wages in Cuba increase according to the price of sugar. When sugar is low we can not afford to pay high wages.

Mr. TAWNEY. They are paying now for common laborers as high as \$30 a month, are they not?

Mr. MENDOZA. In some places in the island, but not in all. In the eastern part of the island, which is less populated, the wages of labor are higher.

Mr. TAWNEY. Then this condition of hunger or starvation which you have just outlined or detailed here does not exist to-day, does it?

Mr. MENDOZA. Not yet; it will exist.  
Mr. TAWNEY. This request, then, for the admission of sugar free is in anticipation of distress?

Mr. MENDOZA. Yes, sir. It will exist, and it will exist not after the island has been left to the Cubans (as they say they are going to do; I do not believe it myself).

But let me give you other illustrations from the testimony showing how damnably false is the claim of Cuban distress and upon which false representations the sympathy of the American people was aroused and their demand for relief was based.

#### HUNGER AND DISTRESS DO NOT EXIST.

BLISS. I have not spoken of distress except to deny that any existed so far as I knew. It is a long time since I have seen any one begging on the streets, or any one who wanted work who was not at work at good wages (p. 389).

BLISS. I should say there was no distress whatever from all I have seen (p. 389).

HAWLEY. Q. And anybody who comes there will be a competitor in the field of labor, and as all these people are now employed, how can they be distressed and starved?

A. Who has said they are (p. 372)?  
MENDOZA. Q. Then this condition of hunger or starvation which you have just outlined or detailed here does not exist to-day, does it?

A. Not yet; it will exist (p. 67).  
ABAD. Q. Then there is no suffering among the laboring classes, is there?

A. No, that is not the case, because living in Cuba is very high; it is very expensive (p. 144). The situation in Cuba to-day is that they have not enough laborers to do the work.

#### LABORERS' WAGES \$33 TO \$50 PER MONTH.

ATKINS. The wages are high. Wages there run quite as high as the average agricultural labor in the United States (p. 15).

ATKINS. The price of labor in Cuba is in excess of the price of labor in the Southern States (p. 29).

BLISS. The men themselves get varying wages, but many of them, in many portions of the island, get as much as \$30 a month American gold; others much less than that. When I say much less I mean \$4, \$5, or \$5 less (p. 388).

ATKINS. In my section I pay about \$23 for a month of twenty-six working days. Mr. Kelly has to pay \$1 a day (p. 18).

HAWLEY. Q. Is labor employed there?  
A. It is.

Q. Can labor find full employment?  
A. It has employment at the present time.

Q. At good wages?  
A. At good wages; yes (p. 388).

KELLY. Roustabout or unskilled labor in Cuba is 90 cents to \$1.10 per day United States gold (p. 51).

KELLY. In our end of the island we are paying an average of \$30 a month (p. 57).

MENDOZA. There is plenty of work for the workmen in Cuba to-day (p. 66).  
PLACÉ. We are paying \$22 to \$24 a month (p. 76).

#### IMPORTING LABOR.

RABADAN. Since the American occupation there has been a Spanish immigration of 60,000 laborers. (Charles Rabadan, export merchant, p. 75).

MACHADO. To double our crop we must have 300,000 laborers in the fields, working only in cane (p. 445).

PLACÉ. We would like to get the laborers from Spain or the Canaries (p. 97).

PLACÉ. Q. If you undertook, or the conditions were such as would encourage the further development of sugar, you would have to import labor?

A. Yes, sir (p. 97).  
PLACÉ. Q. At the present time outside of Habana there is no labor that is idle or unemployed.

A. No, sir (p. 97).  
ATKINS. The men are not to be had, and in order to increase the cane crop of Cuba I think you would have to import the labor to make it (p. 15).

ATKINS. Under normal conditions, sir, the labor in Cuba is not sufficient to go around (p. 36).

HAWLEY. All that seek employment are employed (p. 572).  
ABAD. The situation in Cuba to-day is that they have not enough laborers to do the work (p. 144).

PROPERTY AND BUSINESS OF THE ISLAND IN THE HANDS OF SPANIARDS.

ATKINS. A large proportion of the property of the island is owned by Spaniards (p. 11).

PLACÉ. The business of the island is in the hands of the Spaniards. All business is in their hands. The majority of the Spaniards have not renounced their allegiance [to Spain]; they remain Spanish (p. 55).

Mr. RUSSELL. Is there distress in the island of Cuba?  
Mr. HAWLEY. There is very serious distress.

Mr. RUSSELL. Among whom?  
Mr. HAWLEY. You are speaking as to the sugar condition?

Mr. RUSSELL. I am speaking of distress in the island of Cuba.  
Mr. HAWLEY. I think the distress is largely among the people who, possessed of enterprise, have resumed their business there since the war, who are undertaking to develop the conditions that existed before that time.

Mr. RUSSELL. Is labor employed there?  
Mr. HAWLEY. It is.

Mr. RUSSELL. Can labor find full employment?  
Mr. HAWLEY. It has employment at present.

Mr. RUSSELL. At good wages?  
Mr. HAWLEY. At good wages; yes.

Mr. RUSSELL. And the distress is the apprehension that capital will not get its due reward for the enterprise it is undertaking?

Mr. HAWLEY. The distress is capital is not getting any reward on the enterprise it is undertaking. On the other hand, it is to-day losing money.

Mr. DALZELL. Has the interest you have there been recently acquired?  
Mr. HAWLEY. It has been recently acquired; yes.

The CHAIRMAN. Would a rise of half a cent a pound in the market price of sugar in the world remove all this distress?

Mr. HAWLEY. An advance of half a cent a pound above present prices would cause, naturally, a great difference in the present situation. It would not, however, if the price should increase over the present value of sugar to that extent, make the business especially inviting as a new investment.

By these admissions of the Cubans themselves this plea of starving Cuba, bankruptcy, financial ruin, distress, and the ragged edge of collapse is completely exploded; for they tell us themselves that every man upon the island who wants work is employed; that the sugar industry, until the hearings commenced on January 15, 1902, and all other industries on the island were prosperous and had been profitable to those engaged in them. It is obvious, therefore, that all this uproar about Cuban distress and starvation comes from purely mercenary motives, and that the plea was made for the deliberate purpose of deceiving the American people and the American Congress.

There can be no more infallible indication of the prosperous condition of a people at any given time than the abundance of employment to labor. No matter what the state of civilization, no matter what may be the character of their industry or the grade of their social life, however high the civilization, there is always hardship among all classes when there is any considerable amount of enforced idleness among the laboring class. On the other hand, however low the civilization, you will never find hardship, distress, or starvation in any country where labor is employed to the full limit, as it is in Cuba; and when a people are fully employed they are not starving, their "stomachs are not empty," and they are in no danger of distress or in danger of enduring exceptional industrial or social hardships.

Upon the facts, then, there is absolutely no ground upon which to base this proposed legislation—no ground even to propose a sham reciprocity, which is all that this bill provides for.

Notwithstanding the fact that no distress exists or has existed for several years, yet it was the plea of starvation and our moral obligation to Cuba upon which this agitation was originally based. No more complete answer to both claims has appeared anywhere than in an editorial in the Washington Post of September 25, 1901, as follows:

To the argument that Cuba will starve unless we coddle her industries at the expense of our own, the obvious reply is that Cuba is already overwhelmingly in our debt. When, in April, 1898, the United States assumed the task of destroying the power of Spain in the West Indies, it was clamorously declared by the insurgents that they asked only for emancipation. Their country, so they explained, was fertile beyond words; they needed only the opportunity to labor for themselves, free from exacting and rapacious taskmasters. "Break our manacles," they cried, "and we will soon show you a paradise upon earth, a land flowing with milk and honey, an abode of happiness and peace beyond description." We broke the manacles, such as they were, spending millions of money and squandering hundreds of precious lives in the transaction, and now—more than three years afterwards—these same gentlemen tell us that unless we grant them further favors and again sacrifice our own domestic interests to theirs they will be bankrupt. It is not enough that we have driven out the Spaniards—we are to go on until the end of time with our policy of coddling and self-immolation.

We undertook to free Cuba in a political sense, and if the former insurgents represent the welfare and the aspirations of the Cuban people we have abundantly redeemed our pledges. We did not undertake, however, to feed, clothe, and house the insurgent leaders forever, to provide them with salaries and official positions, and finally, after withdrawing from the island, to inaugurate and maintain an economic status under which their power and emoluments would be secured to them in perpetuity.

#### FACTS AND FICTION CONTRASTED.

Mr. Chairman, as a further illustration of how the American people have been deceived as to the real conditions in Cuba, how their sympathy has been aroused by misrepresentations, and how it was attempted to deceive the American Congress as to the facts concerning the industrial and financial condition of her people, I will present to the House, in parallel columns, some of the testimony I have just quoted as to the actual condition of the people, and newspaper dispatches as to their alleged condition, the testimony being given on practically the same day these dispatches were published. I do this in order that we may contrast the actual condition as shown by the personal knowledge of the Cubans themselves and the alleged condition as represented by leading newspapers throughout the country.

JANUARY 25, 1902.

I should say there was no distress whatever from all I have seen (p. 389).

I have not spoken of distress, except to deny that any existed, so far as I knew. It is a long time since I have seen anyone begging on the streets or anyone who wanted work who was not at work at good wages (p. 389).

[Extract from testimony of Col. Tasker H. Bliss, collector of the port of Habana, who appeared before Committee on Ways and Means January 25, 1902, to ask for Cuban tariff reductions.]

JANUARY 27, 1902.

The public misery is terrible. Municipal council requests your support for speedy solution of economic problem, to avoid awful condition of hunger and calamities which will occur if efficient remedy is not furnished. Laborers without work; there are no industries; commerce is ruined. Cuban people expect that the United States, the arbiter of this situation, will make of Cuba a happy country, and not a land of mendicants.

CARLOS E. LYNN.

[New York Tribune, February 2, 1902.]



JANUARY 24, 1902.

Q. And anybody who comes there will be a competitor in the field of labor, and as all these people are now employed, how can they be distressed and starved?

A. Who has said they are (p. 372)? [Extract from testimony of ex-Congressman R. A. Hawley, interested with Howells and Post of sugar trust, in 75,000-acre Cuban sugar plantation, who appeared before Committee on Ways and Means on January 24, 1902, to ask for Cuban tariff reduction on sugar.]

JANUARY 21, 1902.

Q. Then there is no suffering among the laboring classes, is there?

A. No, that is not the case, because living in Cuba is very high. It is very expensive.

The situation in Cuba to-day is that they have not enough laborers to do the work (p. 144).

[Extract from testimony of L. U. de Abad, secretary of the Cuban delegation in Washington, who appeared before the Committee on Ways and Means January 21, favoring tariff concessions to Cuba.]

JANUARY 15, 1902.

Q. Then, this condition of hunger or starvation which you have just outlined or detailed here does not exist to-day, does it?

A. Not yet; it will exist (p. 67). There is plenty of work for the workmen in Cuba to-day (p. 66).

[Extract from testimony of Miguel Mendoza, owner of 27,000-acre Cuban plantation, who appeared before Committee on Ways and Means January 15, favoring tariff concessions to Cuba.]

JANUARY 15, 1902.

In my section I pay about \$23 for a month of twenty-six working days. Mr. Kelly has to pay \$1 a day.

The price of labor in Cuba is in excess of the price of labor in the Southern States. [Atkins, owner of 14,000-acre Cuban sugar plantation, in testimony before Committee on Ways and Means, January 15, pp. 18 and 29.]

Roustabout or unskilled labor in Cuba is 90 cents to \$1.10 per day, United States gold.

In our end of the island we are paying an average of \$30 a month. (Kelly, owner 9,000-acre plantation, in testimony before Committee on Ways and Means, January 15, pp. 51 and 57.)

We are paying \$22 to \$24 a month. [Louis V. Place, p. 75.]

I might extend indefinitely this contrast between the testimony as to the actual conditions in Cuba and newspaper representations concerning the same subject. I could show from the testimony of Col. James D. Hill, of New Orleans, page 279 of the record who presented to the Committee on Ways and Means numerous newspaper clippings, being the articles of a resident Habana correspondent of a leading industrial paper in the United States, showing the extent to which all industries on the island of Cuba have been prospering since the close of the Spanish-American war, and dispatches from Cuba since the hearings before the Committee on Ways and Means commenced on January 15 alleging hunger and starvation to exist among the people—ruin, distress, and general collapse in all industries. But it is not necessary. The proof already submitted is overwhelming in favor of the conclusion that the representations made through the public press of this country as to the conditions in Cuba are absolutely false and unfounded in fact. What I have already submitted is sufficient to convince anyone not financially interested in Cuba that never before has there been such an outrageous attempt to bunco the American people for the purpose of securing national legislation favorable to American capital invested in a foreign country. [Applause.]

I have called attention to this, not to reflect on anyone, but because I feel it is the duty of everyone in possession of the facts to present them to the people, that they may know the truth and aid in preventing the consummation of the selfish designs of unscrupulous speculators, who would ruin a domestic industry that their investments in a foreign country might be more profitable. [Applause.]

CLAIM THAT AMERICAN CONSUMER WOULD DERIVE ANY BENEFIT DISPROVEN.

But it was also said, during the summer and fall of 1901 that a reduction of the duty on sugar coming from Cuba would reduce the price to the consumer and save to the people of the

FEBRUARY 2, 1902.

ABREUS, February 2.

Starvation threatens Cuba. United States can not allow our people to die of hunger. Immediate reduction of duties on sugar to extent of 50 per cent will secure Cuba exuberant life. An era of prosperity would spring up instantly, pushing island to a bright future for the benefit and welfare of both nations. In representation of planter in this rich zone.

FERMIN DE SOLA.

[New York Tribune, February 4.]

JANUARY 21, 1902.

HABANA, January 21.

Cuban workmen's situation more pressing than ever, owing to economic crisis. Tariff concessions much wanted. Cuban Workmen League, composed of 10,000, appointed Commissioners Gamba, Place, Mendoza their representatives, and respectfully urge you bring influence bear on Congress in order to remedy immediate evils before it is too late.

JOSE RIVAS,

President Cuban Workmen League.

[New York Tribune, February 2.]

JANUARY 10, 1902.

GUINES, January 10.

Owner and planters of "Nombredios" and farmers of this locality beg you to request this American Congress to make immediate concessions in favor of Cuban products. Situation desperate, menacing ruin.

PEDRO PONS ORTA.

[New York Tribune, February 4.]

JANUARY 11, 1902.

ABREUS, January 11.

Ruin most horrible threatens our principal fountain of wealth if the tariff reforms are not effected immediately. In the name of the tenants and farmers of this district.

FERMIN DE SOLA.

[New York Tribune, February 4.]

JANUARY 15, 1902.

Immediate relief to Cuba situation absolutely necessary. Your most energetic cooperation solicited. Condition of affairs so serious prompt solution has become a question of humanity.

BEA, President Matanzas

Board of Merchants.

[Testimony, p. 63, January 15.]

United States in round numbers \$89,000,000. Circular letters to that effect were sent broadcast to the press throughout this country by Willett & Gray, sugar brokers of New York City, and publishers of a weekly statistical sugar trade journal in the interest of the sugar trust.

This promised benefit has likewise disappeared in the light of the testimony of the Cubans and American sugar brokers, practically all of whom testified that the reduction of duty on raw sugar coming from Cuba would not reduce the price of refined sugar to the American consumer, because that price is determined by the world's price, which is fixed daily at London, f. o. b. Hamburg, on the basis of Europe's surplus of raw sugar. In support of this statement I need only refer to the testimony of Mr. Armstrong, of New York, Mr. Atkins, Mr. Mendoza, and almost all of the other witnesses who testified in favor of this proposition. The large quantity of sugar now held in Cuba awaiting this proposed reduction, 800,000 tons, may and no doubt will, when it comes into our market, depress the price of raw sugar somewhat, but as Mr. Armstrong, a sugar broker in New York, told us this would be only temporary, while the trust would undoubtedly maintain the price of refined sugar.

THE PLEA OF ANTICIPATED DISTRESS NOT SUSTAINED BY THE FACTS.

When the present starvation plea was exploded, when it was shown by their own admissions that labor was fully employed and at good wages, that a reduction of the duty on raw sugar would not reduce the price of refined to the consumer, it then became necessary for that powerful interest that from the beginning has been behind this agitation to again shift its position to some other ground upon which to ask Congress to grant these tariff concessions (for the benefit of the sugar trust). The attempt to deceive the American people and the American Congress by false representations as to present conditions in the island and as to the alleged benefit to the American consumer having been exposed by their own admissions, they then said that while the distress did not now exist it was imminent and relief should be granted immediately. They then told us that the present sugar crop would not be ground at the present price of sugar, that this would necessarily throw labor out of employment and in consequence of this enforced idleness disorder, riots, and political disturbances would necessarily ensue, again necessitating our intervention upon the island for the purpose of establishing peace and order.

Although this is a purely speculative claim, and can neither be proven nor disproven with absolute certainty any more than any other anticipated result could be, yet it is the principal ground upon which the distinguished chairman of the Ways and Means Committee based his argument in support of the pending bill a few days ago.

The distinguished gentleman from New York [Mr. PAYNE] anticipates distress for the same reason that the Cuban planters, when they were forced to admit that no distress existed now, said they anticipated that result—that is, that because of the low price of sugar the Cuban planter will not be able to sell this year's crop and next year's crop at a price sufficient to compensate him for the cost of production.

Accepting the statements of these witnesses, who deliberately misrepresented the facts concerning the condition of the people in Cuba, who likewise evaded questions in regard to the cost of production, the chairman of the Committee on Ways and Means says to this House that the cost of producing sugar is 2 cents per pound. He was obliged to admit that there were other witnesses who placed the cost at from 1½ to 1½ cents per pound, but these witnesses were disinterested American citizens. One of them, Mr. Saylor, who personally investigated this question in Cuba, is an officer of the Government, employed in the Department of Agriculture as an expert on this question. The testimony of these witnesses is not regarded by the distinguished gentleman from New York [Mr. PAYNE] as of any value, but the testimony of the interested Cuban planter, although evasive, some of them refusing to answer direct questions as to the cost of production in their own factories, is accepted by him as conclusive.

The entire claim, however, of anticipated distress is founded upon these statements that the cost of production is at least 2 cents per pound.

COST OF SUGAR PRODUCTION IN CUBA LESS THAN 2 CENTS PER POUND.

I have here several statements, verified, too, by the oath of some of the men who appeared before our committee, which disproves the claim that it costs 2 cents per pound to produce sugar in Cuba. These are the verified petitions of American citizens and American corporations filed with the Spanish Treaty Claims Commission in this city, in which petitions claims are made not only for the destruction of property by the Spanish and insurgent troops, but also for the loss of profits for several years. In ascertaining their profit on the production of sugar it was necessary for them to state what it would have cost them to have

produced the sugar on which they claimed the loss of profit. I will read one or two of them:

First, take claim No. 196 of the Constancia Sugar Company. The total amount of the claim is \$4,177,698.85. Under the head of "loss of cane" the verified statement of the company as to the cost of production is as follows:

5. *Loss of cane.*—Constancia's production of cane in 1894 amounted to 17,253,703 arrobas. The cane was in a perfect state of cultivation and promised for the future an increased yield. In the years 1895, 1896, 1897, and 1898, however, the cane was absolutely destroyed and the ground materially injured, so that the cane was totally lost.

The loss in this regard may be readily estimated. Taking the cane product of the estate at 17,253,703 arrobas, the production of sugar, at the low estimate of 1 arroba of sugar to 10 arrobas of cane, would amount to 1,725,370 arrobas, which, at the lowest price reached during the period in question, would yield \$1,077,355. Out of this sum, after making the liberal allowance of 75 per cent for expenses, such as planting, replanting, weeding, cutting, hauling, manufacture, and delivery at the place of shipment, there would remain, say, \$359,118 clear profit.

Analyzed, this statement is as follows, and shows that instead of it costing 2 cents per pound or more to produce sugar in Cuba the actual cost is only \$1.66 per hundred pounds, and that, too, in times of war, when the expense was necessarily greater than it would be in times of peace.

Cane ground per season, 17,253,703 arrobas (25 pounds each). Sugar produced on "the low estimate of 1 arroba of sugar to 10 arrobas of cane," 1,725,370 arrobas, or 43,134,250 pounds.

Swears production was worth .....	\$1,077,355
Swears that after making the liberal allowance of 75 per cent for expenses, such as planting, replanting, weeding, cutting, hauling, manufacture, and delivery at the place of shipment, there would remain "as clear profit" .....	359,118

Hence the total cost of 43,134,250 pounds of sugar is .....	718,287
Which is \$1.66 per 100 pounds, laid down at place of shipment.	

From the following testimony of disinterested witnesses the claim that it costs 2 cents per pound to produce sugar in Cuba is conclusively disproven.

In the testimony before that committee, page 521, Mr. Saylor, special agent of the Department of Agriculture, in charge of the beet-sugar industry of the United States, and who investigated the sugar industry of Hawaii, Porto Rico, and Cuba for this Government, states that—

I felt that there were factories there which were producing sugar for \$1.25 and factories that were producing it at \$1.75. The difference would grow out of the fact that some factories were back in the island and the cost of getting the sugar to their own ports was considerably more than with others.

On page 533 Mr. Saylor, in reply to a question by Mr. HOPKINS, stated:

I said they were producing sugar, to the best of my belief, for from \$1.25 to \$1.75 per 100 pounds, and I believe the average would be about \$1.50.

In a letter written by Mr. Moriz Weinrich, of Yonkers, N. Y., and which appears on page 340 of the testimony, Mr. Weinrich states that he has spent his life in the sugar business, farming, manufacturing, and refining. Mr. Weinrich states that he has been in Cuba five times—from 1868 to 1894—when he made a trip through the sugar districts of the island as a delegate of the Central Association of Austrian Sugar Manufacturers.

Mr. Weinrich states that he spent from a few weeks to five months on each trip. These trips were made in 1868, a few weeks; 1890, 2 months; 1891, 4 months; 1892, 4 months, and 1894, and it is fair to presume that some progress has been made in the matter of reducing the cost of production of sugar in Cuba since his last trip, eight years ago.

Mr. Weinrich says:

A sugar planter who owns a large tract of such land in Cuba near the coast, with good shipping facilities, who cultivates his own cane and owns a large factory equipped with the best machinery, can produce, under good management and everything calculated on a cash basis, a ton of cane delivered to the factory for about \$1.25.

The working expenses, including wear and tear, bags, freight to wharf, etc., will be, in a factory working 150,000 tons or more per campaign, not more than \$1.25 per ton, so that the total expenses would not exceed \$2.50 per ton of cane.

With a yield of 11 per cent of raw sugar, 1 pound of such sugar would cost 1½ cents per pound, which price would be yet a little shaded by utilizing the molasses.

For the nine months ending September 30, 1899, we paid Cuba \$261,332 for molasses alone; for the same period in 1900, \$581,114, and for the same period in 1901, \$1,216,125, which substantiates the statement of Mr. Weinrich.

On page 168 of the testimony before the Committee on Ways and Means there is reproduced an article from the above-named paper, the article being written by Mr. Dureau himself.

In this article Mr. Dureau states:

We can figure that with properly constructed plants and intelligent technical control Cuba can produce sugar at 1½ cents per pound. \* \* \* If Cuban sugar is to enjoy a reduction in the tariff in the United States it should not be difficult to picture the enormous impetus the Cuban industry would take on.

In a report made by the British consul-general to Cuba to his home Government, and which report appeared in the November (1901) issue of the International Sugar Journal, of Manchester,

England, a leading British sugar authority, the consul-general says concerning the Cuban sugar industry:

*First. Cost of cane.*—A large part of the cane now produced in Cuba is grown by "colonos," or small farmers, who sell it to the central factories. It is usually paid for in kind, the colonos receiving 5 pounds of sugar at the port of shipment for every 100 pounds of cane delivered at the mill. This rate is, of course, not invariable. In a few districts as much as 6 pounds is paid for the 100 pounds of cane, and in others the haulage of the cane to the mill is paid by the mill owner. But it is in sufficiently general use to be accepted as a standard.

In a well-managed factory it may be estimated, for purposes of rough calculation, that it requires 10 tons of cane to produce 1 ton of sugar. Hence, at the rate just given, half the sugar produced has to be applied to paying for the cane.

*Second. Cost of manufacture.*—In the property under consideration the total annual expenses, excluding only the cost of the cane and the freight of the sugar, amounted in 1893 to \$18.50, Spanish gold, per ton of sugar made, and were gradually reduced until, in 1898, they came out at only \$15, making an average cost over the whole period of \$16.50 per ton. This figure includes repairs to the machinery.

*Third. Freight on sugar.*—The railway freight during the same period averaged \$3 per ton.

From the above we see that the consul-general gives the average cost of production, laid down at port of shipment, from 1893 to 1901, at \$1.61 per 100 pounds, American currency, and for the year 1901, \$1.486 per 100 pounds in well-managed factories.

#### THE "DEUTSCHE ZUCKER INDUSTRIE" (GERMAN SUGAR INDUSTRY).

In the November, 1901, issue of the above-named paper, published at Berlin, Germany, one of the leading German authorities on the sugar industry, appears a special report from its agent in Cuba. In this report it is stated (p. 2042):

It is well known to-day that as soon as the Cuban sugar industry shall be established and carried on under modern methods that country will produce sugar at a price not exceeding 1½ cents per pound.

SWORN STATEMENT OF THE ROSARIO SUGAR COMPANY, OF NEW YORK, OPERATING A SUGAR ESTATE IN CUBA.

The sworn statement of this company, rendered the Spanish Treaty Claims Commission, on the basis of 60,000 bags output of sugar, shows that the sugar costs this company \$1.685.

A summary of the testimony and statements of sugar producers as above shows:

C. F. Saylor, United States Government (average) .....	\$1.50
Moriz Weinrich (Austro-American refiner and manufacturer) .....	1.122
George Dureau (leading French expert) .....	1.25
British consul-general to Cuba (1901) .....	1.486
Expert of the Deutsche Zucker Industrie .....	1.25

Average of above .....	1.322
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Constancia Sugar Company (of New York and Cuba) .....	1.66
Rosario Sugar Company (of New York and Cuba) .....	1.685

Average of all .....	1.422
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The above testimony by experts of America, France, Germany, Austria, England, and Cuba, all of the greatest sugar-producing nations in the world, should be conclusive proof that sugar can be, and is being, produced in Cuba for less than 1½ cents per pound.

This ought to be sufficient to prove that the claim of anticipated distress, which the distinguished gentleman from New York makes with so much vigor and force, is not based upon the truth as to the cost of producing sugar in Cuba. In other words, the statements made by the Cubans themselves as to the average cost of producing sugar are disproved by their own sworn statements in relation to that cost when they are claiming damages from our Government for the loss of profits on account of the Cuban rebellion instead of asking for tariff concessions.

#### ANOTHER CUBAN MISREPRESENTATION EXPOSED.

But there is another fact which disproves the claim of anticipated distress. When the Cuban witnesses were before our committee we were told that because of the low price of sugar and the cost of production relief would have to be given immediately or the entire crop would not be harvested.

The relief was not given; the crop is harvested. It is all ground and bagged and is now lying upon the wharves and docks and in the storehouses at the various Cuban ports awaiting a reduction of the duty, when it will be shipped into our market. If there was any danger of distress on account of hard times, want of money, or from any other cause, these planters, if they are the ones who will derive the benefit of this proposed reduction, could not possibly hold their entire sugar crop awaiting a higher price as the result of our action. Many of us have seen the farmers of this country produce their crops and sell them for less than the cost of production. We know, too, that when the farmer is in financial distress, when he has no longer money or credit, he does not garner his wheat, his oats, or his corn awaiting a higher market—he disposes of it. He is obliged to do so to provide himself and family with the necessities of life or to meet his indebtedness. We also know that when they can afford to hold their crop in anticipation of a higher market they are not suffering, do not anticipate the foreclosure of mortgages, and are able to commence preparing the soil for another crop.

The same is true of the sugar-cane farmer of Cuba. If there



is danger of distress, if he fears or is threatened with the loss of his property through foreclosure, then he has disposed of his sugar, and he would not be the beneficiary of this proposed reduction. Hence this bill will not prevent this anticipated distress.

But, again, we are told by the witnesses before our committee that at least two-thirds of the sugar crop is produced by corporations chartered in the United States and by nonresident Spanish planters. Some of these plantations owned by American corporations embrace as high as 77,000 acres. We are also told that up to January of this year, when the hearing of testimony began, the production of sugar in the island of Cuba has been profitable. Is it to be supposed that these corporations and wealthy nonresident planters would allow their sugar mills to remain idle and their plantations to grow up in weeds rather than suffer a small loss in consequence of the low price of sugar, or would they not go on, as the American farmer does cultivate and harvest the crop that is now growing, hoping for better trade conditions, and thus continue in their employ the people now employed and prevent greater loss by deterioration and depreciation in the value of their property than they would sustain even if they were obliged to sell their next year's crop without a profit.

There is, therefore, absolutely no ground upon which to base the anticipated distress that some very distinguished gentlemen now pretend to fear and upon which they place the necessity for the passage of this proposed bill.

The plea to the American sugar consumer and the plea of anticipated distress rest, therefore, upon nothing whatever except misrepresentations of fact, and is unworthy of consideration in connection with a measure fraught with such serious consequences to the American people and to a prosperous American industry. [Applause.]

#### WE HAVE NOT DEPRIVED CUBA OF ANY MARKET.

But it is now claimed that by our intervention to secure the independence of Cuba, an intervention that has cost the American people more than \$300,000,000 and thousands of the lives of the best youth of our land, we have deprived Cuba of her market for the profitable sale of her products.

Again is this claim disproved by the testimony of the Cuban witnesses themselves. It is said that the tobacco industry of Cuba is far more prosperous at this time than at any time during the last quarter of a century; that while they have not exported as much tobacco to the United States as they did under reciprocity, yet they received for last year's crop almost double the price they received during 1893, which was their best year in our market. They admit that this is not their only market for the sale of their tobacco, that they sell it in almost every market of the world. We have therefore not deprived them of any market whatever. As to the sale of sugar, their star witness, Mr. Atkins, a Boston merchant, Cuban sugar planter, and stockholder in the American sugar refining trust, disposes of this question most effectively in his answer to the following question:

Mr. TAWNEY. What market do you claim Cuba has lost by reason of the war?

Mr. ATKINS. We have not lost any market, but—

Now, I call the attention of the House to this language, because it not only shows the motive behind this proposed legislation, but also that to give these Cuban sugar barons what they want we must abandon the policy of developing our sugar-producing industry—

We have not lost any market, but we have lost the possibility of selling sugars at a remunerative price, and that was brought about largely by the course of the United States in stimulating the production of her domestic sugars.

Think of it, gentlemen! These wealthy American sugar planters in Cuba, these speculators upon alleged distress, have lost the opportunity of selling their sugar at a remunerative price, and they tell us that one of the causes is that we have been stimulating the production of domestic sugar. But how have we done this? By protective-tariff duties on sugar. Hence, they ask us to reduce these duties, stop encouraging our domestic sugar industry that they may sell their sugar in our market at a larger profit. A higher tribute was never paid to the policy of protection. This reason for asking and favoring a reduction of the duty on sugar is the best reason for retaining that duty. Since the enactment of the Dingley law, less than five years ago, the production of beet sugar has increased in the United States 460 per cent, and in the last year has increased 140 per cent. Because of this enormous increase in the production of beet sugar in this country the Cubans have lost, Mr. Atkins tells us, the opportunity for the sale of sugar at remunerative prices. And now the Republican leaders in this House propose, at the instance and for the benefit of these buccaneers in a foreign land, to reduce the duty on raw sugar and put an end to the further development of our domestic sugar industry. [Applause.]

I want to call your attention, too, to the significant fact that this same Mr. Atkins testified that up until the day he stood before our committee the sugar-producing business in Cuba had

been profitable, and when he was asked to tell the committee how much it cost him to produce a ton of sugar in his factory he declined to answer. Let me read that portion of his testimony:

Mr. TAWNEY. What does it cost you per ton to put your cane into the factory?

Mr. ATKINS. As an individual?

Mr. TAWNEY. Yes, sir.

Mr. ATKINS. Is it quite fair to ask the cost of individual production?

Mr. METCALF. You started out this morning, Mr. Atkins, to give us the cost per ton of sugar cane, and I think you placed that cost at \$2.50. Is that correct?

Mr. ATKINS. They asked the question what it cost to deliver a ton of sugar cane at the mills, in my opinion. I told them that I had no figures whatever upon which to base the cost, but in a general statement I believed it was between \$2.25 and \$2.50.

Mr. METCALF. As a prudent business man, I suppose you keep an accurate account of the cost to you?

Mr. ATKINS. Yes.

Mr. METCALF. Have you any objection to stating what that cost is?

Mr. ATKINS. I prefer not to expose my own private accounts before the committee.

Notwithstanding the foregoing testimony he claims he can not produce sugar under present conditions at a profit, and at the same time refuses to give Congress the information upon which we could base an intelligent judgment whether or not his statements in that regard are true. He declines to give any evidence at all as to the cost of production in his own factory. And why was it? It was because he knew that to do so he would give the lie to his own statements—that the Cubans "have lost the possibility of selling sugar at a remunerative price." That was not only true of Mr. Atkins, but it was true of several other of the great sugar planters who appeared before our committee, and it is upon this evasive, unreliable, and false testimony that the chairman of the Committee on Ways and Means bases his judgment that there is danger of anticipated distress in the island of Cuba, and that therefore we should pass this bill.

#### THE AMERICAN PRODUCER NOT A WHINER.

It has often happened in this country that the American producers have not had the opportunity of selling their products, either agricultural or manufactured, at a remunerative price; but they have not whined about it. They have not come to Congress asking specific legislation for the purpose of relieving them from a trade condition for which the Government was not responsible; and when the American Congress starts out upon the policy of legislation the effect of which will be to curtail the domestic production of a given industry that the product of a like industry in a foreign country may be sold in our market at a remunerative price, is it not time that some one should call a halt before we have gone too far in the matter of knight-errantry and in the matter of extending sympathy and aid and prosperity to a foreign people at the expense of American industries and American citizens?

#### THE PLATT AMENDMENT.

Having themselves disposed of the plea that we have deprived Cuba of a market for the sale of her sugar and other products, they then retreat to what they regard as an impregnable position—the Platt amendment and certain vague and indefinite promises said to have been made by certain officials of our Government respecting commercial union in consideration of Cuba accepting that amendment. Upon this ground they have endeavored to fortify and defend themselves behind the breastworks of national honor. They and their friends upon this floor tell us that under that amendment, which the Cuban constitutional convention voluntarily accepted, the sovereignty of Cuba has been restricted, and that this restriction will necessarily limit commercial and industrial prosperity, because the island will not be free to negotiate treaties with other countries favorable to her trade in such countries.

To show how, like on other questions, they have attempted to convey to the American Congress an erroneous impression upon this question, if not to deceive, I want to quote again from the testimony of Mr. Mendoza, page 412 of the hearings:

Mr. METCALF. You spoke of the Platt amendment as preventing you from entering into commercial treaties with any other country.

Mr. MENDOZA. Yes, sir.

Mr. METCALF. Senator PLATT informed me yesterday that he had such a provision in the original amendment, but that that was stricken out.

Mr. MENDOZA. That is the way we all understood it in Cuba. I do not know what you intend to do, but that is the way we understand it.

Mr. DALZIELL. The Platt amendment will not bear the construction you put upon it.

A more hypocritical claim was never made in support of an unrighteous cause. Those who rely upon it know there is no act, either national or international, that the sovereign republic of Cuba, under the Platt amendment, can not do or perform that any of the republics of South or Central America are at liberty to do. She can make any treaty with any nation on earth and we can not prevent it, unless such treaty impairs the independence of Cuba. Nor can any of the republics to the south of us, under the Monroe doctrine, impair by treaty their independence or

transfer their sovereignty to any European power unless we abandon that venerable American doctrine.

#### BENEFITS OF RECIPROCITY THEIR FINAL GROUND.

It was not until it became necessary to shift their position, first from that Cuban distress and the reduction of the price of sugar to the American consumer to anticipated distress, and then to the destruction of Cuba's markets, and from that to something else, that the Platt amendment and the alleged promise of practically commercial union with Cuba was brought forward by those who commenced this agitation and who now favor the pending proposition. But when the Platt amendment was analyzed and it was plainly shown that it does not operate as a restriction upon the independence or sovereignty or the commerce of Cuba, that it provides in this respect merely that Cuba shall never enter into a treaty with a foreign nation which will impair her independence; that no debt or obligation shall be assumed that the revenues of the island shall be inadequate to liquidate; that Cuba shall give consent for the United States to intervene to preserve the independence of the island, it then became necessary to find some other ground upon which to base this proposition.

Having failed on the sympathy argument, the moral argument, and the national-honor argument, the friends of this proposition now base their argument upon reciprocity and the extension of American trade in Cuba as a justification for the passage of this bill. In other words, they now base their whole argument on the ground that the benefits that will inure to the people of the United States from the reciprocity provisions of this proposed measure will be sufficient to justify our enacting it. This claim is also supported by the hysterical cry of some of our home interests for trade, principally New York exporters who rest their hope of increased sales upon theory rather than upon facts. [Applause.]

#### POSSIBLE INCREASE IN OUR TRADE NOT MORE THAN \$14,000,000.

In his testimony before the committee, and according to statistics, Colonel Bliss stated that Cuba bought last year from foreign countries \$34,962,000 worth of certain articles and from the United States of like articles only \$10,360,000. These articles he groups into six classes. He then proceeds to say that we can get this \$34,962,000 of trade, in his judgment, if we go after it.

On page 406 of the testimony, under the head of "miscellaneous," he places—

Cattle:	
Imports from the United States.....	\$1,260,335
From all other countries.....	6,020,087

Of the \$7,280,422, Mexico, Columbia, and Venezuela furnish \$5,422,357, the United States \$1,260,335, leaving small margins for all other countries.

There is a reason for the importation of cattle from Mexico and South American countries, which Colonel Bliss himself, in his official report, August 1, 1899, tells us, and that is principally climatic conditions. American cattle do not live any length of time on that island.

So that here is \$5,442,000 of the \$34,962,000 Cuban trade we can not get.

Under "Fibers, etc.," page 405 of the record, Colonel Bliss gives the United States about \$495,000 worth of cotton goods exported to Cuba; from all other nations, about \$6,000,000. There is likewise a reason for our not having more of this trade to-day. Certainly it is not the high rate of duty or because of any discriminating rate of duty, but because, as Colonel Bliss himself stated before the committee, we do not make what Cuba wants, nor do we give the same credit to her merchants that European manufacturers do, nor do we sell as cheaply. It is therefore our own fault or the fault of our manufacturers that we are not selling more cotton goods to Cuba than we are to-day. The domestic sugar and tobacco industries should not be loaded down for the neglect, refusal, or poor business methods of our own manufacturers.

In proof of this I quote from the recently elected president of Cuba, Señor Palma, who says:

English and German manufacturers of cotton goods make a study of the tastes and needs of the people living in Cuba, and as a result they sell to them in great quantities. It is only necessary for the American manufacturers to bring their good judgment to bear upon this matter, to make a study of the needs of the consumers, and they can take all of this trade to themselves.

There is no word here about the necessity for a preferential tariff to secure more of Cuba's trade.

Mr. Pepper, a very able newspaper correspondent, representing in Cuba a syndicate of newspapers favoring this proposed reduction of duty, who is now in Habana, and is also the special correspondent of the Washington Star, recently said in one of his articles:

When the American exporters and manufacturers learn that there is a limit to what their own Government can do in providing a Cuban market for them, and when they learn also that tropical trade is not to be won by haphazard unloading of surplus products and damaged goods, they will be on

the right road to selling their products. But they will not be able to overcome German competition until they show the same patience that the Germans show and adapt their goods to the market as the Germans do.

Mr. Pepper does not here attribute our failure to secure the Cuban market either to a high rate of duty on the products of Cuba coming into the United States or to the rate of duty on the products of the United States entering Cuba. There is no intimation by him, a man who has studied trade conditions there in the interests of Americans, that a preferential duty is necessary to our securing the full Cuban trade.

We exported of cotton manufactures in ten months ending October, 1901, to all nations, about \$37,500,000. That being so, why is it that our cotton manufacturers do not get the trade in Cuba as they are getting it in other foreign countries? Is it because of those things stated by Señor Palmer and Mr. Pepper and Mr. Bliss and others? If it is, then it is their own fault, and there is nothing in the trade relations between the United States and Cuba to prevent them from increasing that trade without a preferential tariff. So that we have now reduced the \$34,000,000 which Colonel Bliss says we can get by reciprocity to \$23,000,000.

In another group of articles imported into Cuba is about \$2,000,000 worth of vegetables; \$868,000 from the United States and \$1,225,000 from other nations. Of the latter Cuba takes of onions, canned vegetables, and pulse about \$468,600 of Spain. There are no doubt reasons to be found for this fact in the contracted habit and taste for these vegetables grown in that country. Certain it is that we can not get that trade under a 20 per cent reduction if the people in the southern part of our country, lying almost in sight of Cuba, are not able to supply that market now.

Colonel Bliss then charges against us in the same group the jerked beef or tajaso item, which is imported entirely from South and Central America, and which we can not supply. Because of climatic conditions, the use of meat in other forms, unless salted or smoked, to any great extent is not possible. Our consul at Buenos Ayres and also our minister to Argentina confirm this statement in official reports to the State Department.

Colonel Bliss then puts into his calculation the item of coffee, amounting in the aggregate to \$768,740—an article that we do not produce.

Deducting, then, these several items, it reduces our possible trade in Cuba to \$20,000,000.

The item of cheese, amounting to \$401,410, imported largely from the Netherlands, is also placed against us. This item, like the item of vegetables imported from Spain, Cuba would continue to import from the Netherlands, because her people want the article and are accustomed to it by habit and taste.

This reduces our possible trade in the island to \$19,600,000.

Another item charged against us is the item of \$3,300,000 worth of rice. This rice is consumed by the poorer classes, and is furnished to them largely by the sugar and tobacco planters. Who believes for one moment that these planters could import rice from Louisiana, costing twice as much as the rice which they import from other countries, for their employees? According to the testimony of Mr. Placé the rice that is imported into Cuba and consumed by her people is the poor and cheap India rice. We would, therefore, have little, if anything, to hope for in increased trade in this article.

This reduces the possibilities of increased trade with Cuba to \$16,300,000.

Another item which it is claimed would be imported from the United States under reciprocity is the item of \$1,200,000 worth of fibers. Manufactures of fiber imported into Cuba come almost entirely from Great Britain, and I suppose that they import their fibers from that country for the same reason that we do, because they furnish what Cuba wants, in the style they want it, cheaper than we do and with more extended credit.

Another item is \$1,320,000 of leather and manufactures of. We are materially increasing our trade in the sale of articles of this kind in Cuba and because our manufacturers of shoes and other articles manufactured from leather are studying the necessities of this trade in the island, and in consequence are rapidly taking it from Spain, but it will not be for some time that this trade can be secured.

From these facts you will observe that Colonel Bliss's statements as to the extent to which our trade can be increased in Cuba is reduced to about \$14,000,000.

#### EXTENT TO WHICH WE NOW CONTROL CUBAN TRADE.

Another Cuban witness who endeavored to impress upon us the advantage to American producers of reciprocity with Cuba, was Mr. Placé, and to show how extravagant and unreliable were the statements of this witness I will quote from his testimony and from the statistics of the Treasury Department.

On page 91 of Statements to Ways and Means Committee, Mr. Placé said that during reciprocity (1891-1894) Cuba imported



from \$35,000,000 to \$40,000,000 worth of machinery from the United States.

His misstatements concerning Cuba's importation of cotton goods consisted in this, that Cuba's total importations thereof was \$67,000,000 (p. 93), which in fact were only \$7,000,000 from all countries, and I think it proper, too, to expose his false statement concerning our machinery exports to Cuba under reciprocity.

The figures are from our Bureau of Statistics, to wit: Total exports of machinery from the United States to Cuba for four years, 1891-1894, inclusive, \$7,649,752.

I give the figures and others, in order that we may contrast this trade with other years:

1893, machinery n. e. s., from United States	\$1,167,516
1894, machinery n. e. s., from United States	1,217,196
1890, machinery n. e. s., from United States	1,154,090
1891 (reciprocity), from United States	1,317,253
1892 (reciprocity), n. e. s., from United States	1,952,740
1893 (reciprocity), n. e. s., from United States	2,792,050
1894 (reciprocity), n. e. s., from United States	1,587,706
1895 (reciprocity abrogated), United States	1,286,473
Steam engines and parts:	
1890	435,152
1891 (reciprocity)	469,839
1892 (reciprocity)	807,435
1893 (reciprocity)	871,712
1894 (reciprocity)	503,802
1894 (abrogated)	353,568

So that taking our best year under reciprocity (1893), and we have of machinery sold to Cuba \$2,792,050 plus \$871,712, and we have in that year only \$3,663,762; and taking our total machinery trade to Cuba, 1891-1894, and we will have of machinery n. e. s. for four years, \$7,649,752; and steam engines and parts, \$2,655,788; a total in four years of only \$10,325,540, or only one-fourth of what Place said it was.

In 1901 our total machinery exports to Cuba were about \$2,000,000.

Under reciprocity in four years, 1891-1894, the United States sent of boots and shoes to Cuba, \$468,000; while in two years, 1899-1900, we sent \$453,000.

We did not send as much glass and glassware to Cuba in our best year (1893) under reciprocity by \$40,000 as we did in 1900.

We sent only \$170,000 worth more of corn to Cuba in our best (1893) reciprocity year than we did in 1898.

We sent no more agricultural implements to Cuba in 1893-94 under reciprocity than in 1890, nor as much in 1893-94 by \$55,000 as in 1900. We sent of cotton manufactures to Cuba in 1899-1900 (two years) \$892,850. In our two best reciprocity years (1893-94) our total was only \$132,770. In 1899-1900 (two years) our total drugs, chemicals, dyes, and medicines exports to Cuba were \$809,000. Our total under reciprocity (1893-94) was only \$378,000.

There was under reciprocity in 1893-94 a gain in our exports to Cuba of nails and spikes over 1900 of about \$30,000; in builder's hardware of about \$200,000, but in 1894 only \$90,000 over 1890.

Our total fish exports to Cuba were not as large under any reciprocity year (except in 1893) as in 1899—\$170,800 against \$125,800.

And the same was true of our mineral-oil exports. As to malt liquors, while our total for two years, 1899-1900, was \$1,219,000, in 1891-1894 (under reciprocity) the total was only \$167,700. Our total paper exports to Cuba in two years (1899-1900) were \$327,000; the total in our two best reciprocity years (1893-94) was only \$312,600. Our export of bacon to Cuba in 1900 over the best reciprocity year nearly doubled in pounds, while our exports of ham exceeded in 1900 our best reciprocity year by 1,200,000 pounds. Our pork exports to Cuba in 1900 (one year) were 6,000,000 pounds, against a total of only 2,640,000 pounds in the four reciprocity years, 1891-1894. The United States sent more boards, deals, joists, planks, etc., to Cuba in 1900 than in any year under reciprocity by \$40,000 in value, and this is also substantially true of timber.

We sent as much furniture to Cuba (\$603,670) in 1900 as in the entire four reciprocity years of 1891-1894.

#### CUBA'S TOTAL COMMERCE.

The total commerce of Cuba in 1890 was \$152,362,484; her total exports to all countries about \$100,000,000, and her total imports about \$52,362,484. The greater part of her exports came to the United States in the form of sugar, molasses, and tobacco. From 1876 to 1891 the United States purchased of Cuba of raw products \$923,888,357, and we sent to Cuba only \$188,695,845, leaving a balance of trade against the United States in sixteen years of \$735,192,512.

In 1891 our imports from Cuba consisted of—

Sugar and molasses	\$46,830,047
Fruits	1,619,467
Chemicals and dye woods	399,617
Hides and skins	345,033
Cabinet woods	576,953
Iron ore	847,250
Tobacco	10,484,604
Total	61,073,921

#### CUBA'S IMPORTS.

United States, 1893, under reciprocity	\$24,157,698
For the fiscal year ending June 30, 1901:	
United States	28,561,140
Great Britain	9,230,950
France	2,922,830
Germany	3,403,000
Spain	10,268,260

Showing that notwithstanding "reciprocity" between the United States and Cuba from September, 1892, until October, 1894, our trade with the island now is over \$4,000,000 more than our best reciprocity year.

We almost entirely monopolize Cuba's market with certain products.

Agricultural implements, about 62 per cent—in fact, with nearly all her plows and cultivators.

Horses: We furnish about 50 per cent; others from Mexico principally, for similar reasons as to climate.

Mules: We furnish over 75 per cent of her mules.

Hogs, 95 per cent from United States.

Corn, 99 per cent from United States.

Bran and fodder, 89 per cent from United States.

Oats, 98 per cent from United States.

Brick, 90 per cent from United States.

Cars (railway and street), 99½ per cent from United States.

Coal, 99 per cent from United States.

Hay, 90 per cent from United States.

Instruments (scientific), 90 per cent from United States.

Steel and steel rails, 88 per cent from United States.

Structural iron and steel, 99½ per cent from United States.

Agricultural and electrical machinery, 98 per cent from United States.

Sewing machines, 90 per cent from United States.

Steam engines, locomotives, stationary engines, and boilers, 62 per cent from United States.

Sugar machinery, 93 per cent from United States.

All other machinery, 88 per cent from United States.

Flour, all from the United States.

Builders' hardware, 52 per cent from the United States.

Tools and implements, 61 per cent from the United States.

Tin, United States and Great Britain about divide the trade.

Paints, nearly 50 per cent from the United States.

Paper, and manufactures of, the United States, Germany, France, and Spain divide the trade.

Malt liquors, about 71 per cent from the United States.

Meats (salt and pickled), 50 per cent from the United States.

Beef, canned, all from United States.

Beef, fresh, all from United States.

Beef, salt or pickled, all from the United States; jerked or tajo, nearly all of Uruguay.

Bacon, nearly all from the United States.

Hams and shoulders, nearly all from United States.

Pork, salt or pickled, nearly all from United States.

Lard, nearly all from United States.

Oleomargarine, nearly all from United States.

Condensed milk, nearly all from United States.

Butter, United States, Denmark, and Spain divide the trade.

Cheese, mostly from the Netherlands. (Matter of taste, probably.)

Rice, from Great Britain and Germany, \$3,100,000.

Beans and peas, 60 per cent from United States.

Potatoes, 55 per cent from United States.

Wood, (a) boards, shingles, shooks, logs, lumber, and timber, nearly all from United States; (b) furniture, nearly all from United States; (c) hogsheads, all from United States and Spain.

REDUCTION OF SUGAR DUTY FOR RECIPROCITY MEANS EXCHANGING ANNUALLY A \$130,000,000 SUGAR MARKET FOR \$14,000,000 ADDITIONAL TRADE IN CUBA.

The statements of Colonel Bliss and others, however, as to the possibility of increasing our trade in Cuba to the extent of \$34,000,000 annually, and all arguments in favor of reciprocity are based upon a permanent reciprocity treaty, not upon a reciprocity treaty that would expire by limitation within about eighteen months after it was executed.

Under this proposed reciprocity plan for the relief of Cuba, therefore, we would get absolutely nothing in the way of increased trade, and even under permanent reciprocity we could not hope for any material increase in our trade for many years.

If, as I believe, it is the purpose and the intent to ultimately make this, either now or in the near future, a permanent arrangement in the event that it now becomes a law, there would still be no adequate compensation growing out of increased trade with Cuba for the loss we would sustain by reason of a reduction of duty on raw sugar.

To my mind, Mr. Chairman, this proposition is a monstrous one and is not worthy of consideration in an American Congress. It is a fact that \$82.13 is the benefit accruing to the American farmer,

laborer, mechanic, manufacturer, railroad company, by the production of one ton of granulated sugar, direct from American-grown beets. This would aggregate, on the basis of our importations of raw sugar last year, not including Hawaii, \$150,804,724 annually. There is a market at home worth annually to our people more than \$150,000,000 which it is proposed to sacrifice to obtain an increase in our trade in Cuba of about \$14,000,000. To me this looks like exchanging a dollar and a half for fourteen cents. [Applause.] In addition to this, there would accrue to the allied American industries, resulting from the cost of erecting the 520 beet-sugar factories necessary to produce this sugar at home, an aggregate benefit amounting to at least \$285,220,000. And there would accrue also to American industry annually, by reason of necessary repairs and improvements on these factories (5 per cent of the original cost), \$14,261,000. In other words, the benefit inuring to American industry from the repair of the sugar factories alone, if we produced all the sugar we consumed, would more than equal the increase in our trade with Cuba under a permanent reciprocity arrangement.

THE PROPOSED RECIPROCITY NOT IN LINE WITH REPUBLICAN RECIPROCITY.

The claim made upon this floor that reciprocity with Cuba is in line with Republican policies and the effort made to sustain that claim, based upon the fact that under the McKinley law we had a reciprocity treaty with Cuba, is no nearer the truth than are the representations made by certain newspapers in this country and by the Cubans themselves concerning distress, poverty, and general industrial collapse in Cuba. It is true we had under the McKinley law a reciprocity treaty with Cuba, but that treaty was not in conflict with the policy of developing American industries.

No industry then in the infancy of its development was affected by that treaty except the sugar industry, and to insure protection to that industry against the cheap labor and production of sugar in Cuba, and also to encourage the development of our domestic sugar industry, the McKinley law provided for the payment of a bounty of 2 cents a pound on every pound of sugar produced in the United States. This was for the purpose of equalizing the difference in the cost of producing sugar here and in Cuba, and under the stimulus thus afforded our domestic industry it did develop, notwithstanding the free importation of sugar from the island of Cuba. It is, therefore, unfair to cite the reciprocity treaty with Cuba under the McKinley law as a justification for a reciprocity agreement with Cuba now without the aid of a bounty or anything to further encourage the development of the sugar-producing industry of the United States.

It is also claimed that under the Dingley law express authority was given for the making of a reciprocity agreement with Cuba, as well as with other countries, upon a basis of the reduction of the duty on sugar, and this fact is also cited as a justification for the passage of this proposed reciprocity bill. But gentlemen fail to also call attention to the fact that the reciprocity agreements authorized by the existing Dingley law could not become effective if negotiated within the life of the reciprocity provision of that law until they were ratified and approved by both Houses of Congress. If under section 4 of this law a reciprocity agreement had been negotiated with Cuba, it would thereafter have been necessary to secure the approval of both Houses of Congress in order to make it operative, and that approval could no more have been secured without a contest such as we are now engaged in than the proposition to expressly authorize a reciprocity agreement involving a reduction of the duty on sugar, as proposed by this bill.

The reciprocity policy of the Republican party, a policy which has been styled by the President as "the handmaiden of protection," does not contemplate the exchange of an American market which we ourselves can supply for any foreign market. It does not justify a Republican Congress in reducing the duty on a product which we ourselves can produce in quantities sufficient to supply our own demand, or the reduction of the duty on products the protection of which in our own market will give employment to labor and capital universally throughout our land and to an extent that would equal the employment of labor and capital in the greatest industry we have to-day. But that is what the proposed reciprocity provided for in this bill contemplates.

THE PROPOSED REDUCTION OF DUTY WOULD DESTROY FUTURE DEVELOPMENT OF SUGAR INDUSTRY.

But it is claimed that a 20 per cent reduction of the duty on sugar will not injure the domestic industry, and this claim is made by the very men who adopted the present law imposing the existing duty on sugar for the protection and development of that industry. If that is so, then you are by your own act confirming the truth of the argument so frequently made by the free trader that the duties which you imposed less than five years ago upon this product and the products of other industries were placed unnecessarily high, and that thereby you have imposed burdens

upon the American people which under your own policy of protection you are not justified in doing.

I deny the claim that the duty upon raw sugar was placed either knowingly or unwittingly above the point necessary to insure the growth and development of the domestic sugar-producing industry. When the present law was prepared and reported to the House, March 19, 1897, the late Hon. Nelson Dingley, then chairman of the Committee on Ways and Means, than whom no more sincere or able advocate of Republican principles and Republican policies ever occupied a seat upon this floor, said in his report concerning the necessity for the present duty on raw sugar, and at that time prophesied as follows:

The production of beet sugar in at least 23 States of our Union, which only seven years ago was regarded as of doubtful promise, is no longer an experiment, but a demonstrated success with such protection as we recommend, which is less than those bounties given at the inception of sugar production by Germany, France, and other European countries which now produce about two-thirds of the world's sugar.

The time has come when every effort should be made to open up new crops to our farmers and thus diversify and promote our agriculture; and no crop in sight affords more hope of success or greater advantages to the whole country. Even with the present low prices of sugar, we paid in the last fiscal year to foreign countries about \$73,000,000 for our raw sugar, in addition to over \$11,000,000 paid to the Sandwich Islands for sugars imported free of duty under our treaty of reciprocity with that country; and in the near future this sum will rise to \$100,000,000. To open up such a new and valuable crop to our farmers (who are finding the competition of Russian and Argentine wheat a serious drawback) is a boon which Congress should not hesitate to give, especially at a time when it can be done in the interest of revenue.

I might quote from the speech made in this House by the distinguished gentleman from New York [Mr. PAYNE] on the 19th day of July, 1897, to prove that the duty imposed by the existing law upon raw sugar was necessary to the development of our sugar-producing industry, and also to show how he predicted that industry would grow and prosper under the existing duty until in a few years we would be producing all the sugar we consume, instead of sending abroad annually from the pockets of our own people more than \$100,000,000 to the producers of sugar in foreign countries.

PARTY PLEDGES PRIOR AND SUBSEQUENT TO SPANISH WAR.

But the gentleman from New York [Mr. PAYNE] says that since that time conditions have changed, and that these new conditions, resulting from the Spanish-American war, must be met. He said a few days ago in opening this debate:

I did not think that we would have Porto Rico and the Philippines and Cuba upon our hands in any degree within the space of five years when I made that speech.

The gentleman from New York [Mr. PAYNE], in the Fifty-sixth Congress, made another speech, in which he referred to these changed conditions, and also referred to our domestic sugar-producing industry and what the purpose of the Republican party was and would be in dealing with these new conditions as they affected the production of sugar in this country. That speech was delivered on the 19th of February, 1900, on the passage of what was known as the Porto Rico revenue bill. In speaking of the effect of the reduction of the duty on sugar and tobacco coming from Porto Rico, he then said:

We consumed 2,000,000 tons of sugar last year. We imported about 1,400,000 tons on which we paid duty. We also imported 300,000 tons from Hawaii, which came in free of duty. The balance was produced in this country. Our increased consumption amounts to from fifty to a hundred thousand tons annually. If this 60,000 tons comes in from Porto Rico it will be but a drop in the bucket. Even should it double in quantity it could have no influence on our market. Our sugar producers have nothing to fear if we stop with sugar from Porto Rico at the duty in this bill.

Nor will this bill injure the tobacco industry. Their tobacco is quite different from ours. The best of it ranks with the Cuban, or nearly so. Nearly all of it is filler tobacco and very little is fit for wrappers. My own impression is that it will add to the sale of wrappers in the United States and make a better market for our tobacco growers. I have yet to see the tobacco man who fears the introduction of the Porto Rican product.

Their great fear is that if we should give free trade to Porto Rico we would follow it with free trade with the Philippine Islands, and ultimately with Cuba. Neither they nor the sugar producers fear anything from Porto Rico alone, and when Congress asserts its power under the Constitution to deal in the manner proposed by this bill with this territory it gives them renewed confidence to believe that Congress has the power and can be trusted to care for their interests when we come to deal with the other islands.

Here he claimed that the assertion of the power of Congress under the Constitution to maintain a duty upon the products of our insular possessions coming to the United States was intended to give renewed confidence to the producers of sugar and tobacco in this country; that Congress possesses the power and, while under the control of the Republican party, "can be trusted to care for their interests when we come to deal with the other islands." This was a specific pledge to our people that they should not be harmed in their domestic industries that compete with the industries of Cuba and the Philippine Islands.

This was in line with the pledge made by the Republican party in 1896 to encourage American citizens to engage in the production of sugar by the imposition of a duty high enough to accomplish that purpose. Having fulfilled that pledge by the enactment of the Dingley law, and in view of the changed conditions growing out of the result of the Spanish-American war, this assertion



of power on the part of Congress, now sustained by the supreme judicial tribunal of this country, was not only intended, but it was stated then by the leader of the Republican party in this House, to be an assurance and an additional promise to the American producers of sugar that they had nothing to fear from the cheap labor and cheap production in the islands acquired by us or in the island of Cuba, whose independence we had secured.

As a further evidence of this fact, let me call your attention to what the Republican National Committee, in the Presidential campaign of 1900, said to the farmers of this country on the subject, as shown by the Republican "handbook," published and distributed by the national committee then soliciting the votes of American farmers for the candidates of the Republican party:

The first thought which came to the minds of the farmers when the events following the war for the liberation of Cuba brought under our control certain tropical areas was whether or not the possession or control of tropical territory by the United States would injure, or perhaps destroy, the opportunities which they believed they had almost within their grasp for supplying the \$100,000,000 worth of sugar which the people of the United States annually consume. This fear—if it reached the stage in which it could be called by that name—was answered in the negative by the Republican party when it passed the Porto Rican bill.

The Democratic party fought with all its power to prevent the enactment of that measure which placed a duty upon articles coming into the United States from Porto Rico. That duty was small, but it was an explicit declaration by the Republican party that it proposed to retain the power to fix such tariff as it might deem judicious against the products of cheap tropical labor wherever located and under whatever conditions. In other words, it was a distinct promise to the farmer that he need not fear that the Republican party would permit the cheap labor and cheap sugar of any tropical territory to be brought in in a manner which would destroy the infant industry of beet-sugar production which the farmers of the United States have, under the fostering care of the Republican party, been building up during the last few years.

I would especially commend to the distinguished gentleman who occupies a seat at the other end of this Capitol, who was then and is now chairman of the Republican national committee, the promises and the representations he and his committee then made to the people of the United States with respect to the future action of the Republican party toward the industry which he and others are now engaged in destroying the future development of, contrary to and in violation of party pledges and party honor.

#### THE EAST AGAINST A WESTERN INDUSTRY.

It does not become a Republican either to assert that the present rate of duty on sugar is too high or that the industry will continue to prosper and develop under a reduced rate of duty. Certainly it does not lie in the mouth of the representatives upon this floor of Eastern manufacturing industries to say so, or to base their proposed action in this matter upon statements of that kind.

We have to-day in operation 41 beet-sugar factories in this country. All but three are located in Western and Northwestern States. Two are located in New York and one in the State of Ohio. Almost to a man the Representatives from the States in which all but three of the sugar factories are located are opposing the passage of this bill, not only because they believe it will injure their existing factories, but that it has and will destroy further development of this industry in their respective States. But they are also opposing the passage of this bill because it is for that reason a violation of party pledges and a violation of the good faith and honor of the Government now under the control of their party.

Their belief as to the effect of this proposed reduction upon the industry which they represent is not founded upon speculation. It is not founded upon false representations, as is the claim for the passage of this bill, but upon the actual effect of this threat to reduce the duty on the product of their industry, as seen by them and their people.

Who is it that assumes to tell us of the West, aye, to dictate to us the rate of duty necessary to the prosperity of the existing sugar industry and to the encouragement of its future development? It is almost entirely the representatives of Eastern manufacturing industries that have been developed and are now enjoying unparalleled prosperity under the policy of protection, industries that are to-day protected by the aid of the votes of Western Representatives against cheap foreign competition by rates of duty infinitely higher than is the duty upon raw sugar. These men pretend to favor this proposition because it is a reciprocity proposition, and, as claimed by them, will result in increasing our trade in the island of Cuba. From the statistics we have seen that the only possible increase that we may hope for is in the sale of manufactured articles, and in the sale of manufactured articles the West is not particularly interested, but the East is. Hence to increase the trade of the East in the island of Cuba the Representatives of that section are perfectly willing to reduce the duty on the product of a Western industry. But when it is proposed, for the purpose of extending the trade of Western industries or increasing the sale of the products of the Western farm in European markets by the application of this principle of reciprocity, for which the advocates of this bill are

now contending, that proposition is resisted most bitterly by the very men who are insisting that our industry of the West will not suffer in consequence of this proposed reduction.

The distinguished gentleman from Pennsylvania [Mr. DALZELL], who will follow me, will argue that this proposed reduction is not a violation of the principle of protection, that it will not injuriously affect any industry. But if the sugar-producing industry of this country—an infant industry now enjoying the protection of a specific duty, the equivalent ad valorem of which is only about 80 per cent—will not suffer in consequence of a 20 per cent reduction, then I ask him why it is that he and his people, and the representatives of other Eastern and fully developed industries, are to-day resisting to the uttermost the ratification of the French reciprocity treaty now pending in the Senate, which provides for a reduction of duty of from 5 to 20 per cent on the products of Eastern manufacturing industries. I would ask him to explain to the House and to the country why it is that if this 20 per cent reduction will not jeopardize the future development of the sugar industry he opposes a proposed reduction under the French treaty of 20 per cent on the products of the glass industry—a fully developed industry—which he represents on this floor. [Applause.]

What is the equivalent ad valorem of the specific duty which the present law imposes upon glass? I read from the Senate report containing the proposed French reciprocity treaty. From this we see that upon certain specific sizes and grades of glass the duty is as high as 154.80 per cent.

Concession.	Sections of the tariff law in which reduction of duty will be made by the French treaty.	Average ad valorem duty collected in fiscal year 1898.	
		Under Dingley law.	As under proposed reciprocity.
Per cent.	101. Unpolished, cylinder, crown, and common window glass— Not exceeding 10 by 15 inches square, 1½ cents per pound..... Above that, and not exceeding 16 by 24 inches square, 1½ cents per pound.....	Per cent. 42.45	Per cent. 88.21
10		104.32	93.89
	Above that, 4½ cents per pound..... Above that, and not exceeding 24 by 30 inches square, 2½ cents per pound..... Above that, and not exceeding 24 by 36 inches square, 2½ cents per pound..... Above that, and not exceeding 30 by 40 inches square, 3½ cents per pound..... Above that, and not exceeding 40 by 60 inches square, 3½ cents per pound.....	134.90 117.66 127.89 154.81 145.01	121.41 105.90 115.10 139.33 130.51

Mr. WM. ALDEN SMITH. I would like to ask the gentleman to yield to me now.

Mr. TAWNEY. I yield to the gentleman.

Mr. WM. ALDEN SMITH. The gentleman was speaking of the French treaty now pending in the Senate. Mr. John A. Kasson said, in an address before the Illinois manufacturers at Chicago, on October 24 of last year, "We sought not only to avoid any injury to any American industry, but so far as possible to avoid giving even cause for apprehension to any industry;" thus showing what he thought of reciprocity.

Mr. TAWNEY. That only illustrates the fact, Mr. Chairman, that Mr. Kasson has been unable to convince the Eastern manufacturers that their interests will not be affected by a 20 per cent reduction of duty where that duty is now 154 per cent.

In speaking now in favor of this measure Mr. GROSVENOR has a great deal to say about this 20 per cent reduction not injuring the domestic sugar beet. But the sugar industry is not an Ohio industry, while the production of wool is. There is another reciprocity treaty pending in the Senate, entered into with the Argentine Republic, for a 20 per cent reduction on wool. The ratification of this treaty is resisted by him because he claims it would injure this industry in his State, although it provides for only a 20 per cent reduction on wool coming from that Republic. What is the ad valorem equivalent of the specific duty now placed upon wool? Let me give the committee a little information on that point and expose the inconsistency of the men who demand a reduction of 20 per cent on the product of an industry not in their State. The ad valorem rate in 1899 on unwashed wool on the skin was almost 119 per cent; on washed wool of the same class, not on the skin, 120½, and wool of class 2, 360 per cent;

in 1900, on unwashed on the skin, 103 per cent. And yet here is a struggling infant industry, having to-day less than 60 per cent ad valorem equivalent to the specific rate on sugar, paying that; and yet they tell us that the proposed reduction of 20 per cent on wool, on glass, and on other articles included in the treaties of reciprocity—treaties now pending in the Senate—would injure their industries if they were made. But they are perfectly willing that an industry that does not exist in their States, that possibly has no hope of future existence—if they can increase the sale of their manufactured products in a foreign country by sacrificing a Western industry, they are perfectly willing to do it; and they do it, too, with greater ease than I would have supposed a good Republican would even attempt the accomplishment of that which was a violation of the principles and express pledges of his party. [Applause.]

I am sorry that the gentleman from Pennsylvania, who has now taken his seat, was not here when I alluded to one of his pet industries, the glass industry. I would like to have him tell this House and the country why it is that, if the infant sugar-producing industry of the country can stand a 20 per cent reduction, the manufacturers of glass, an industry that is fully established and having a protection of 154 per cent, why it can not stand a like reduction of duty as proposed by the Kassel-French reciprocity treaty, why he objects so strenuously to the 20 per cent reduction on the product of the glass industry and favors this reduction on the product of the Western farm. I hope he will answer the question, but I fear my hope will be in vain.

#### THE REAL OBJECT OF THIS CONTEST.

But, Mr. Chairman, there is one other matter I want to call attention particularly to before I conclude my remarks. I want to call attention to the fact, my friends, that this is neither a protection nor a free-trade fight. This is a fight between two American industries. The one is controlled by the American sugar trust, the other by the American farmer. It is a life or death struggle between our domestic sugar-producing industry and the sugar-refining trust of this country. [Applause.] That is where the real fight is located. It commenced more than a year ago, and it will continue till one or the other is triumphant. The beet-sugar industry of this country refines its own sugar. The American Sugar Refining Company does nothing but refine raw sugar imported from and produced in foreign countries. In ten years we can produce, if our sugar-producing industry is let alone, all the sugar we consume. That sugar will be refined in the beet-sugar factory, hence the importation of raw sugar from foreign countries and the business of refining that sugar by the American sugar-refining trust will cease except, perhaps, as to the importation of raw cane sugar from our island possessions.

#### THE WAR OF THE TRUST IN 1901 AGAINST DOMESTIC INDUSTRY.

I am not surprised, therefore, at the efforts of the trust to crush out, if it can, the beet-sugar industry. It began its war of extermination a little over a year ago when it invaded the territory of the beet-sugar industry of Colorado and Nebraska, offering its sugar in the valley of the Missouri for 2½ cents a pound less than it was charging for the same article at its factory in Brooklyn, N. Y. At that time the press of this country teemed with editorials not only describing minutely the character and purpose of this war of the sugar trust on the beet-sugar industry but also denouncing this gigantic monopoly for the unscrupulous methods which it employed to accomplish its unworthy end.

It is indeed strange that these same newspapers do not see in this contest the same mailed hand they discovered last year in the effort of the trust to destroy the beet-sugar industry. I commend to them their own editorials as the best evidence of the motives of the trust in this fight and the methods it is employing to win it. Perhaps the best and most unbiased statement of the nature of that attempt to ruin those engaged in the production of beet sugar in the Missouri Valley was published in the New York Journal of Commerce, October 3, 1901, which is as follows:

President H. O. Havemeyer, of the sugar trust, was at his office on Tuesday, for the first time since his illness, and it was learned yesterday that one of his first official acts was to authorize one of the most spectacular reductions in refined sugar prices that have ever been made. The reduction is a blow aimed directly at the beet-sugar interests of the country. It applies only to such sections of the country in which beet sugar competes and is so important that it means that most of the beet factories will be compelled to market their product at a loss if they live up to the contracts they have recently made.

#### EXTENT OF THE CUT IN PRICES.

The cut in price to Missouri River points was to 3½ cents per pound net for granulated. On Tuesday the net quotation was 5.03 cents net. In other words, Mr. Havemeyer has authorized a cut slightly in excess of 1½ cents per pound.

To understand the importance of this cut to beet-sugar manufacturers it must be mentioned that the practice of the beet people is to make contracts for their entire production at prices based on the selling price of the sugar trust on the date of delivery. The beet people have heretofore been easily able to dispose of all their sugar at a discount of 10 points from the trust's figures. This means, if the beet people do not repudiate their contracts, that they will receive but 3½ cents per pound for their product. It is understood, however, that the beet-sugar people will refuse to recognize the cut made by the

trust on the technical ground that it is ruinous and in restraint of trade. The beet-sugar refiners of Utah, Colorado, California, and Nebraska are the refiners concerned. The American Sugar Refining Company usually supplies sugar for the Missouri River points from its New Orleans and Pacific coast refineries. They now have, however, at least 20,000 barrels of granulated sugar held on consignment at Kansas City and nearby points shipped from New York during the latter part of July and first half of August. It is expected that this cut will have an unsettling influence upon the local market, but it is not expected that it will be followed by an important cut in prices in the Eastern market.

#### NO CHANGE IN EASTERN PRICES.

No change was made in the sugar trust's prices for Eastern markets yesterday, and the difference of 1.1 cents per pound still holds between the price of the raw and the manufactured article. (New York Journal of Commerce, October 3.)

But this attempt on the part of the sugar trust to destroy its only dangerous rival failed. The beginning, extent, and the cause of its war and failure is so clearly stated in the hearings (pp. 426 and 427 of the testimony) by Mr. Francis K. Carey, president National Sugar Manufacturing Company, of Sugar City, Colo., that I will quote from his testimony:

I now come to the war upon the Colorado factories made by the trust last fall.

When the sugar war broke out in California last summer Mr. Havemeyer made this utterance (I quote from the New York Sun of July 28):

"And there is one thing more I have noticed in the papers recently, that the sugar trust is back of and interested in the fight which Spreckels is making against Oxnard out in California. Our company has nothing whatever to do with that fight. The fight was brought about through the consumption of beet sugar not equaling the production. Oxnard wants to work off some of his superfluous product, and he thinks that if he can make it appear that he is fighting the trust he can get rid of some left-over beet sugar. Our company is not at all interested in that fight, but I know something about the fighting qualities of Spreckels, and I do not think Oxnard will win."

I remark, in passing, as I have already stated, that the trust has large interests with Mr. Spreckels in California; that Mr. Havemeyer's statement in regard to the consumption of beet sugar not equaling the production was absolutely untrue, and that the concluding sentence of the interview seems to me to have been unnecessarily brutal and malicious. However, I do not quote the article simply to call attention to those matters.

A very short time after making the statement which I have quoted the trust cut or pretended to cut the price of refined sugar in the Missouri Valley to 3½ cents a pound. The cut was made for the purpose of embarrassing the Colorado factories under their sugar contracts, which guaranteed the price against decline. Our factory had sold about 3,000,000 pounds of sugar at the then market price of \$5.12 per 100 pounds, f. o. b. Kansas City, guaranteeing the price against decline; and other Colorado factories had sold much larger amounts on the same terms. The trust anticipated that its action in creating or pretending to create the 3½-cent market would force the delivery of our beet sugar under our contracts at \$3.40 per 100 pounds, allowing the 10 points differential between cane and beet sugar. The only fact which saved the Colorado factories from destruction was that the trust could not then buy its raw sugar in New York at less than \$8.75 per 100 pounds, so that after adding the refining cost and freight, an open market of \$3.50 for refined sugar would have caused the trust a loss, which even its great resources could not stand. Our factory refused to recognize the cut, built an additional warehouse for the storage of its sugar, and offered to fill all its contracts by purchasing cane sugar, if it could be purchased; and the other Colorado factories taking the same position, the trust was forced to back down.

#### THE POLICY OF THE TRUST AS TOLD BY HAVEMEYER.

That this effort to destroy the only dangerous rival of the American sugar trust by a ruinous competition is in line with the policy of that great monopoly, and that the reason for that policy is the fact that refined sugar can be and is made directly from the beet without the intermediation of the sugar-refining trust is made clear and conclusive by the testimony of Mr. Havemeyer, president of that great organization, before the Industrial Commission. On page 132 of the testimony taken before that Commission (Preliminary Report, Public Document No. 476, part 1) we find the following by Mr. Havemeyer:

Q. Now, how can sugar be made in Germany from beets, or in the Philippines from cane, or in any other part of the world, cheaper than you can make it here? Is that owing to the labor, or what is it?

A. Because, in the evolution of sugar refining, refined sugar can be made directly from the beet without the intermediation of the sugar refinery.

Q. Then it is not the cane sugar abroad that you fear coming in, but the beet?

A. Both.

As to the attitude of Mr. Havemeyer and his sugar trust toward all competitors, Mr. Havemeyer, on page 108, testified as follows:

Q. If you can make it unprofitable to them (other refiners), they will stop their sales and in the long run the expectation is that the profit will be larger to your stockholders?

A. That would be the natural inference. Of course it goes without saying, if we protect our own markets, it can only be done under the condition of things that makes it unprofitable for our competitors, the real motive being the protection of our own business, and the result being an absence of profit to them.

And again, on page 120, speaking of the policy of the sugar trust to crush out all competition, Mr. Havemeyer said:

Q. Now, I also understood you to imply at least that it is the policy of the American Sugar Refining Company to crush out all competition, if possible?

A. But that is not so; there is no such testimony. I understand it has been put in that form by one of the gentlemen, but it is not the fact. What I said was that it was the policy of the American Company to maintain and protect its trade, and if it resulted in crushing a competitor it is no concern of the American Company. If he gets in the press, that is his affair, not ours.

Q. And if anyone interferes with the business, profits, or competition of the American Sugar Refining Company it is its policy to prevent it, if possible?

A. By lowering profits to defy it.



Q. And if it results in crushing him out—  
A. (Interrupting.) That is his affair.  
Q. Not the affair of the American Sugar Refining Company?  
A. No.

And on the question of controlling the price of refined sugar, on page 125 of the testimony before the Industrial Commission, Mr. Havemeyer again said:

Q. When you sell in this country, you control the price?  
A. Yes, sir.  
Q. And it (the trust) was organized, as I understand it, with a view of controlling the price and output to the people of this country?  
A. That was one of the objects of consolidation.  
Q. And you have succeeded in doing it?  
A. Yes, sir.  
Q. That was the principal object in organizing the American Sugar Refining Company?  
A. It may be said that was the principal object.

As to the proportion of the total amount of raw sugar refined by the trust, on page 107, Mr. Havemeyer said:

Q. What proportion does your output form of the total output of the country now?  
A. I have never been able to get at those figures, but I should say about 90 per cent.

Q. You think about 90 per cent of America?  
A. That is not of the capacity, but of the output. The fact is, that these refineries are not working full.

Q. Does the American Sugar Refining Company itself have a capacity enough to supply the total demand, if it were not for the opposition? Your company could easily supply the total demand at the present capacity?  
A. The demand and 20 per cent in excess.

To show his utter contempt for the interest of the public in the reduction of the price of refined sugar, on pages 112 and 117 of the testimony taken before the Industrial Commission Mr. Havemeyer stated as follows:

We maintain that when we reduced the cost we were entitled to the profit, and that it was none of the public's business.

Q. I say he (the consumer) may be benefited temporarily for six months or a year; but if, after the crushing out has taken place, you then, as you said in your testimony, resume a margin of profit which you consider is the right thing, and that is the only thing you were governed by, I ask you then whether the consumer will be materially benefited or not?

A. Is he not benefited to the extent of the reduction of the price during the fight?

Q. He is; but if he has to pay double or three times the price after the fight is ended I fail to see where he is benefited.

A. He is not if he has to pay that.

Q. I understood you to say when the war was ended you evened up?

A. Yes.

Q. The price you put on was for the benefit of the stockholder?

A. Yes.

Q. Do you think it is fair that the consumer should pay a dividend to your company on brands, good will, etc.?

A. I think it is fair to get out of the consumer all you can consistent with the business proposition.

Q. You state that as an ethical proposition before this Commission, and you have to stand on that ethical position for fair play. Now, I want to know if you think—you stated that the consumer received the benefits of this consolidation of industry—it a fair ethical position, independent of the business view you put on it, that the consumer should pay dividends on this \$25,000,000 of overcapitalization?

A. I do not care two cents for your ethics. I do not know enough of them to apply them.

From this testimony of Mr. Havemeyer we see that the American sugar-refining interest, 90 per cent of which is controlled by the trust, realizes that the greatest danger to its future is the growth and development of the American sugar-producing industry; that it is hostile to any policy on the part of the Government that tends to encourage domestic production; that this would result in a large diminution of the enormous profits of the American sugar refiner; that to prevent this the American Sugar Refining Company, commonly called the "trust," is to-day pursuing a policy intended to crush out all competition. It is true Mr. Havemeyer denies this charge, but his denial is purely technical, because he said before the Industrial Commission that it was their policy "to maintain and protect its trade, and if it resulted in crushing a competitor it is no concern of the American company. If he gets in the press, that is his affair, not ours."

Q. If anyone interferes with the business, profits, competition, or affairs of the American Sugar Refining Company it is its policy to prevent it if possible?

A. By lowering profits to defy it.

Q. If it results in crushing him out—

A. (Interrupting.) That is his affair.

If the American sugar-refining trust can ever succeed in destroying the domestic sugar-producing industry, then the American people will realize in a practical way the real purpose and effect of this warfare now carried on by that monopoly against our domestic industry. Mr. Havemeyer, in his testimony above quoted, has been kind enough to tell us why it is that his company adopted this policy of extermination, and what benefit it would derive if this was successfully accomplished, for he said before the Industrial Commission:

Q. When you sell in this country you control the price?

A. Yes, sir.

Q. And it (the trust) is organized with a view of controlling the price and output to the people of this country?

A. That was one of the objects of consolidation.

Q. You have succeeded in doing it?

A. Yes, sir.

#### THE PROFITS OF THE TRUST.

That the country may know to what extent under existing conditions and with the competition which the sugar-refining trust has on account of the domestic beet-sugar industry refining its own product, I want to call attention to the admissions of the sugar refiners themselves before the Ways and Means Committee as to the profits they are now making in the business of refining raw sugars imported from foreign countries. They told us that they allowed from 1 to 1½ cents a pound for cost of refining, commissions on sales, cost of distribution, and all other expenses incident to the business of refining and placing the product in the hands of the wholesaler or retailer; that their net profit was at least one-half a cent a pound.

Last year there was refined in the United States, exclusive of Hawaii, 4,113,023,040 pounds, and of this amount Mr. Havemeyer, before the Industrial Commission, testified that they—the trust—refined 90 per cent, so that the net profit on the sugar refined last year by the American Sugar Refining Company, exclusive of the sugar refined which came from Hawaii, was almost \$20,000,000. And on page 111 of the testimony before the Industrial Commission Mr. Havemeyer states that his refineries could be built new at a cost of from \$30,000,000 to \$35,000,000.

#### PRODUCTION OF BEET SUGAR OUR ONLY PROTECTION.

The only protection, then, that the American people have against the unreasonable exactions of this monopoly in the business of manufacturing refined sugar is to continue to encourage the growth and development of the beet-sugar industry, thereby preventing the trust from obtaining absolute and complete control over the market of this country for the sale of refined sugar. That this will be accomplished if we continue the present policy of encouraging the growth and development of our domestic sugar industry is amply proven by the tremendous strides which that industry has made since the enactment of the present Dingley law imposing a protective duty upon sugar.

#### THE GROWTH OF THE INDUSTRY UNDER PRESENT LAW.

Under no law ever enacted by Congress, except the law imposing a duty upon tin plate, has any infant industry prospered and developed as has the domestic beet-sugar industry since the enactment of the Dingley law.

#### AMERICAN BEET-SUGAR FACTORIES AND THE TARIFF LAWS UNDER WHICH THEY WERE ERRECTED.

The following list comprises all the beet-sugar factories in the United States, date of erection, daily capacity in tons of beets, and cost to construct and equip. Cost based on \$1,097 per ton of daily capacity, as per United States Census Bulletin No. 59.

All arrangements had been perfected to erect eight factories in 1902, and some of them are known to be under construction. Whether or not any of them have been abandoned for this season, pending the outcome of Cuban tariff reductions, has not been ascertained.

Erected.	Location.	Capacity.	Cost.
		Tons.	
1879.....	Alvarado, Cal. (present capacity 800 tons).....	200	\$219,400
1888.....	Watsonville, Cal. (present capacity 1,200 tons).....	300	329,100
1890.....	Grand Island, Nebr.....	350	389,950
	Total.....	850	938,450

#### (1) MCKINLEY LAW, FOUR YEARS, OCTOBER 6, 1890, TO AUGUST 28, 1894.

1891.....	Norfolk, Nebr.....	350	\$383,950
	Chino, Cal. (present capacity 1,000 tons).....	350	383,950
	Lehi, Utah (present capacity with 3 subsidiary plants 1,400 tons).....	350	383,950
	Total under McKinley law.....	1,050	1,151,850

#### (2) WILSON LAW, THREE YEARS, AUGUST 28, 1894, TO JULY 24, 1897.

1897.....	Los Alamitos, Cal. (present capacity 300 tons).....	350	\$383,950
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#### (3) DINGLEY LAW, FIVE YEARS, JULY 24, 1897, TO DATE.

1898.....	Crockett, Cal.....	1,200	\$1,316,400
	St. Louis Park, Minn.....	350	383,950
	La Grande, Oreg.....	350	383,950
	Ogden, Utah.....	350	383,950
	Betteravia, Cal.....	500	548,500
	Bay City, Mich.....	500	548,500
	Binghamton, N. Y.....	600	658,200
	Oxnard, Cal.....	2,000	2,194,000
	Spreckels, Cal.....	3,000	3,291,000
	Grand Junction, Colo.....	350	383,950
	Leavitt, Nebr.....	500	548,500
	Waverly, Wash.....	350	383,950
	Bay City, Mich.....	600	658,200
	West Bay City, Mich.....	750	822,750
	Rochester, Mich.....	500	548,500
	Caro, Mich.....	600	658,200

Erected.	Location.	Capacity.	Cost.
		Tons.	
	Alma, Mich	600	\$658,200
	Pekin, Ill.	700	767,200
	Kalamazoo, Mich	500	548,500
	Holland, Mich	350	383,950
	Benton Harbor, Mich	350	383,950
1900	Sugar City, Colo.	500	548,500
	Fremont, Ohio	350	383,950
	Lyons, N. Y.	600	658,200
	Marine City, Mich	350	383,950
1901	Rocky Ford, Colo.	1,000	1,097,000
	Logan, Utah	400	438,800
	Loveland, Colo.	1,000	1,097,000
	Saginaw, Mich	600	658,200
	Lansing, Mich	600	658,200
	Menominee Falls, Wis.	500	548,500
1902	Salzburg, Mich	400	438,800
	Sebewaing, Mich	600	658,200
	Carrollton, Mich	600	658,200
	Shelby, Ind.	500	548,500
	Mount Clemens, Mich	600	658,200
	Greeley, Colo	800	877,600
	Eaton, Colo	500	548,500
	Fort Collins, Colo	500	548,500
	Crowell, Mich	600	658,200
	Increase in capacity of original plants since 1897, including Lehi subsidiary plants at Provo, Springville, and Bingham Junction.	2,500	274,250
	Total under Dingley law	29,150	\$1,977,550
	Total prior to McKinley law	850	932,450
	Total under McKinley law	1,050	1,151,850
	Total under Wilson law	350	383,950
	Total to date	31,400	\$4,445,800

\* Now making glucose.

#### TARIFF PROVISIONS ON SUGAR.

(1) Sugars not above No. 16 Dutch standard in color and upon all sugars which have gone through a process of refining, one-half of 1 cent per pound; bounty, 14 and 2 cents per pound on home production.

(2) Sugars not above No. 16 Dutch standard in color, 40 per cent ad valorem; above No. 16 Dutch standard in color and upon all sugars which have gone through a process of refining, 40 per cent and one-eighth of 1 cent per pound.

(3) Sugars not above No. 16 Dutch standard in color and not above 75° polariscope test, 95 cents per 100 pounds; for each degree above 75, 34 cents per pound additional.

Above No. 16 Dutch standard in color and upon all sugars which have gone through a process of refining, \$1.95 per 100 pounds.

In view of this marvelous development of our domestic sugar industry under the existing law, it seems incredible that any representative of an American constituency—I care not what his politics—should propose the enactment of a law that would take away from that industry any part of that protection which is necessary to enable it to compete with a like industry in any foreign country, no matter how close may be the relation of that country to the United States.

I am aware that some gentlemen on this floor now claim that this proposed reduction of 20 per cent will not injure the sugar industry of this country. If it does not seriously injure the industry in so far as it is developed, that it will certainly destroy the further development of the industry can not be denied. There is abundant testimony on this point and I have already referred to projected factories that have been abandoned. Wendell Phillips once said "there is nothing so timid as a million dollars except two million." And this timidity on the part of capital, in view of the powerful influence that has secured this 20 per cent reduction, will increase and will prevent the investment of capital in the further development of the industry through the fear that the reduction which Mr. Havemeyer and the Americans interested in Cuba want, namely, free sugar from Cuba, will ultimately be secured.

When this question of the effect of a 20 per cent reduction or any reduction of the duty on sugar upon the domestic industry was before the Ways and Means Committee, several of the members asked questions bearing upon this point, and quite an altercation between Mr. HOPKINS, Mr. DALZELL, Mr. GROSVENOR, and others occurred. So animated did this discussion become, and the intimation on the part of Mr. HOPKINS that a small reduction of the duty on sugar would not affect the domestic industry was so promptly and forcibly repelled by members who are now advocating this proposed reduction, that the chairman of the committee was even obliged to rap for order, as will appear from the following stenographic report of the proceedings at that time:

Mr. GROSVENOR. Allow me to ask you a question; and don't get me on the wrong side, either.

Mr. CAREY. I will assume that it comes from a friendly source this time.

Mr. GROSVENOR. Is it possible, in your judgment, to make a concession to Cuban sugar that will benefit the Cuban people and still not injure the production in the United States of cane and beet sugar?

Mr. CAREY. I do not think anything about it; I know that it is not.

Mr. GROSVENOR. Nobody could help knowing that who knew enough to put two and two together.

Mr. HOPKINS. That is a pretty broad statement to make, but I would like to have figures on it.

Mr. CAREY. Well, if you will only give us an orderly opportunity to produce our figures, we will only be too happy to give them to you. Now, Mr. Chairman, do you suppose, does this committee expect to get at facts? Do you expect to get at facts which have scientific bearings, which have agricultural bearings, which have intricate business bearings in a town meeting? Mr. DALZELL. We have fifty pages of facts in the record which we have been making for the past few weeks.

Mr. HOPKINS. They claim that any reduction on the tariff rate on sugar is going to be an injury to them.

Mr. DALZELL. A dozen witnesses have testified to that.

(The chairman rapped for order.)

The CHAIRMAN. This discussion is not in order. If any gentleman of the committee wishes to ask Mr. Carey questions, we will listen to the questions; but the discussion will come afterwards.

This only shows that at that time, and based on the testimony, the judgment of the very men who are now the leading advocates of this proposed reduction was that any reduction whatever of the duty on sugar would be injurious to our domestic industry.

#### THE PLEDGE OF THE REPUBLICAN PARTY.

That duty was placed upon the product of this industry in accordance with the express pledge made to the people of the United States by the Republican party in its platform adopted at St. Louis in 1896. That pledge is as follows:

We condemn the present Administration for not keeping faith with the sugar producers of this country. The Republican party favors such protection as will lead to the production on American soil of all the sugar which the American people use, and for which they pay other countries more than \$100,000,000 annually.

Pass this bill and you will merit the same condemnation we invoked upon our opponents for not keeping faith with the sugar producers of this country.

The confidence of the people in the Republican party maintaining while in power the law which we ourselves enacted for the protection and development of the sugar industry caused them to invest their capital in that industry. Let us not, therefore, betray that confidence by now repealing or modifying that provision of the existing law under which we have witnessed this marvelous growth and development of an important industry. To do so would be an act of bad faith on our part. It would discredit, more than anything else we could do, the party we represent upon this floor. As said by Mr. Farquhar:

I do not believe that nations, any more than individuals, can safely violate the rules of honesty and fair dealing.

#### THE POLICY OF THE GOVERNMENT TOWARD THIS INDUSTRY.

The relation of the United States to the beet-sugar industry is different from that maintained toward any other industry in the country. Congress has not confined itself merely to the enactment of a protective tariff for the growth and development of that industry, but has done an immense amount of missionary work to induce capital to invest in the business and induce farmers to abandon other crops and devote themselves to the cultivation of sugar beets. We have sent our agents to public meetings in various sections of the country; we have issued a vast amount of literature in the shape of annual reports to Congress; we have circulated these reports among the people, instructing them how to grow sugar beets that will produce the highest possible degree of saccharine matter.

In many other ways has the Government exercised its power and influence to induce American citizens with their capital to unite in furnishing to the farmers a new and profitable industry, in the hope, which hope is rapidly being realized, that in a few years, instead of sending to the people of foreign countries more than \$125,000,000 annually for the sugar we consume, we will be producing that sugar ourselves and distributing that money among our own people. [Applause.]

#### SUGAR-TRUST PRINCIPAL BENEFICIARY.

But, Mr. Chairman, there is another important consideration in connection with this proposed legislation, one which to my mind, independent of the effect it may have upon any domestic industry, should prevent the passage of this bill. It is the fact, established by an overwhelming array of testimony, testimony that is absolutely conclusive, that Cuba will derive very little, if any, benefit from the proposed reduction of the duty on sugar.

A great deal has been said in this debate to prove that the sugar trust will not and can not absorb any of the proposed reduction of duty on raw sugar coming from Cuba. The best indication of the fact of whether or not this legislation will be beneficial to the sugar trust is the effect which our action here tending to promote the passage of the bill under consideration has had upon the market price of the stock of that organization. The reports made every day to the country as to the rise and fall of any stock upon the market is the barometer which shows the future prospects of the company owning such stock. These reports are written in cold blood; they are nonpolitical; they contain nothing but actual transactions and the facts that induced them. From these reports we see that from the first week in January, when we decided to take up this question, to the 21st of March,



the increase in the valuation of the common and preferred stock of the American Sugar Trust was \$9,675,000. Stockbrokers are never influenced in their business by sentiment. They are in close touch with all the influences bearing upon the prospective rise or fall in stocks.

On the 7th and 15th of February the Haight & Freese Company, stockbrokers, of New York, with offices in all the leading cities of the United States, advised their customers concerning the prospective rise in sugar stock and the reason therefor, as follows:

#### THE SUGAR PROBLEM.

FEBRUARY 7, 1902.

DEAR SIR: Reports from Washington favor the passage of the bill to reduce the import duty on sugar for the benefit of Cuba. The Administration is favorably committed to the measure. If the bill passes the stock will have a tremendous rise. Speculators would buy it freely around 160, as they have always done before each time the stock sells around such figures. The primary beneficiary from the passage of such a bill at Washington would be the American Sugar Refineries Company, inasmuch as they would be in possession of the sugar instead of the planter.

We believe before summer comes again sugar will sell near 160.

#### THE COMING SUGAR STRUGGLE AT WASHINGTON.

FEBRUARY 15, 1902.

DEAR SIR: All eyes interested in sugar are centered on Washington for first indications as to what will be done relative to duties, the subject coming up in the interest of Cuba. Sugar is one of Cuba's greatest products, and the American duty thereon will have the greatest importance and bearing upon many interests, notably the American Sugar Refining Company. The question is, Will the United States reduce the present duty 25 per cent, or thereabouts, on sugar coming from Cuba, or will it let matters rest as they are? Opposed to the action is the beet-sugar interest; in favor of it are the \* \* \* President and the interests of the American Sugar Refining Company.

If the measure goes through Congress and becomes operative, the stock of the American Sugar Refining Company will have a tremendous rise and easily gross 150; if it fails the stock would undoubtedly suffer quite an extensive decline. If the reduction becomes a law, the primary beneficiary would be the American Sugar Company, inasmuch as they would be in possession of the raw sugar instead of the planter.

This shows who the real beneficiaries of your action will be if this bill ever becomes a law. Oh, but gentlemen will say, this prediction was made for the purpose of fleecing the innocent lambs of the country, but the facts are otherwise.

That these predictions were well founded is shown conclusively by the effect upon the price of that stock of the action of the Republican members of this House in their last conference, when it was decided by a majority of the conference, but by a minority of the Republican membership of the House, to instruct the Ways and Means Committee to report favorably the pending bill.

On March 19, the day following this conference, under the heading "Finance and trade," appeared the daily dispatch from New York in the Evening Star of this city, giving an account of the market and sale of the various stocks, including sugar stock. On that day this stock opened at 129 per share and sold as high as 130½, closing at 130.

The following paragraph contained in the above dispatch shows the reason for this increase in the price of this stock:

Sugar was taken in hand at one time and forced up to 130½, but the new high prices brought out profit-taking sales on a considerable scale. The defeat of the beet-sugar men in Washington may be made more of at a later date when the legislation is completed and the trade begins to appreciate the strength of the American company's (trust's) position.

The following day, in the same paper, appeared the daily dispatch from New York giving the stock quotations, from which it appears that sugar stock closed at 131 and sold as high as 131½. In the dispatch appears the following explanation of this fact:

Sugar was taken in hand by the inside faction and made to sell up in the thirties under big dealings. The attempt to belittle the effect of the Cuban legislation as now proposed has not discouraged the friends of the property, who had determined upon higher prices at this time.

On the following day, in the same dispatch, published in the same paper, the fact appears that sugar sold at 134 and closed at 133½, an increase of almost 4 points over the previous day. And in the body of the dispatch the following explanation of the increase is given:

Sugar was marked up under big dealings, credited to lower Wall street, and based upon earnings and the expected benefits from Cuban legislation.

Following the action of the Committee on Ways and Means reporting this bill favorably, in the same paper and in the same New York dispatch giving stock quotations, it appears that the stock advanced 2 points, and such advance was attributed to the action of that committee in reporting favorably the proposition to reduce the duty on raw sugar coming from Cuba.

These facts are infinitely more conclusive upon the question of who will be the beneficiary of this legislation than all the fine-spun theories and all of the figures presented to the House a few days ago by the gentleman from Kansas [Mr. LONG] and by other members who seek to make the country believe that this proposed reduction will go to the benefit of the people of Cuba.

When before the committee, Colonel Bliss, the customs collector at the port of Habana, testified, when asked concerning

whether or not the benefit of this reduction would go to Cuba, that, in his judgment, not to exceed 30 per cent of it would ever reach Cuba. The remaining 70 per cent would, therefore, be absorbed by the sugar trust, that buys practically all of Cuba's sugar.

#### ONE MARKET AND ONE BUYER FOR CUBAN SUGAR.

But, Mr. Chairman, there is another fact which shows that the trust will be the chief beneficiary of a reduction of the duty on sugar. There are only two open markets of the world for the sale of Cuban sugar—England and the United States. All others are closed by prohibitive duties for the benefit of domestic producers. In both of these markets Cuban sugar is sold at the world's price—a price fixed each day at London f. o. b. Hamburg. In the American market there is only one buyer—the sugar trust. Hence there is no competition in this market, and the Cuban planter is obliged to sell at the world's price or store his sugar at great expense and loss from deterioration, resulting from humidity and discoloration, or he ships his sugar to England—his only other market.

But this last alternative involves increased freight charges, increased risk, and consequent increased insurance, which he will save if he sells to the trust. He is therefore at the mercy of the trust, and must therefore accept the world's price. Hence, the trust buys this sugar and imports into this country by paying 20 per cent less duty than it would have to pay on its raw sugar imported from Germany or any other country, and thereby it would absorb all of this proposed reduction and become the chief beneficiary of your action. These are conditions well understood by stockbrokers and by the sugar refining company. It is this that has prompted the broker to encourage people to buy sugar stock, and it is one of the reasons why the trust has been doing its utmost to secure this reduction of duty on raw sugar coming from Cuba.

#### AMERICAN INTERESTS IN CUBA.

But, Mr. Chairman, if the sugar trust does not absorb this reduction it will nevertheless not go to Cuba, because we are told by the other side that at least two-thirds of the sugar crop in Cuba is produced by nonresident planters and corporations chartered and domiciled in the United States. In one of the early conferences on this proposition I submitted a proposition to refund 20 per cent of the duties collected on the products of Cuba to the government of Cuba, and that the government of the island was to pay to the actual bona fide cane grower of the island a sum equivalent to 20 per cent of the duty we had collected upon the sugar produced from the cane grown by him. To this proposition the other side replied as follows:

Many of the largest cane plantations in Cuba are owned by individuals who are nonresidents of the island, many of whom have owned their properties for twenty or more years. These persons can get none of Mr. TAWNEY's bounty. Other large plantations are owned by corporations chartered under the laws of this and other countries. These corporations can not be bona fide residents of Cuba, even though some of their stockholders may be; hence these corporations could not share in Mr. TAWNEY's bounty. Yet these two classes, nonresident owners and corporations, produce fully two-thirds of Cuba's cane.

If two-thirds of Cuba's cane is produced by nonresidents, including American corporations, then certainly not to exceed one-third of the reduction of the duty would inure to the benefit of Cuba. Certainly we are under no greater obligations to these nonresident planters and American corporations whose interests are in a foreign country than we owe to our own people and to American capital invested in the development of American industries.

Then, Mr. Chairman, we are asked to adopt what? We are asked to adopt the policy of encouraging American capital to go into a foreign country for the purpose of exploiting that country, developing its resources with half-civilized labor, that the product of that labor may be brought into the United States in competition with American free labor and disposed of under special tariff privileges and advantages.

Mr. Chairman, that policy would not only be unrepugnant and undemocratic, but it would be, it is, un-American. No political party has adopted the policy of encouraging American capital to invest in a foreign country in any way, and especially not by permitting the product of the cheap labor of that country to be brought here and sold under a protective tariff in competition with the producers of American products, and this is the first time in the history of the United States it was ever attempted. I not only hope it will never be attempted again, but that this attempt will be an ignominious failure.

We all know that a vast amount of American capital has gone to the island of Cuba since the war. I remember during the hearings that Mr. METCALF, the gentleman from California, a member of the committee, read the following dispatch from the American Club, of Habana, Cuba, and other witnesses testified as to the extent of American holdings in the island:

Mr. METCALF. I hold in my hand a communication, addressed to me, coming from the Merchants' Association of New York, whose office is in the

New York Life Building. It is dated New York, January 24, 1902, and is as follows:

"We incorporate herein the following cable message received this morning from the president of the American Club, of Habana, Cuba:

"HABANA, January 23, 1902.

"President Merchants' Association, New York:

"American interests in Cuba, aggregating about \$80,000,000, urge your body to immediately exert every effort possible, through every channel of influence at your command, to have Congress grant tariff concessions asked for by Cuban commission in order to save their interests from financial ruin. Every commercial interest in Cuba is jeopardized unless immediate favorable action is taken."

Mr. POST. I represent the controlling interest in the National Sugar Refining Company. It is a matter of record, of course.

Mr. METCALF. I would like to come back to a question. Can you give me the names of any of your stockholders who are interested in sugar lands?

Mr. POST. Yes; Mr. Tooker, Mr. Bunker, Mr. Mollenhauer, Mr. Howell, and various men who are stockholders in the National are interested in sugar lands and have been for some years.

Mr. METCALF. Have they been purchasing lands there recently?

Mr. POST. Three years ago.

Mr. METCALF. Do you know the amounts of their holdings?

Mr. POST. I do not know what each individual holding is. They are interested in three estates in Cuba. One has 66,000 acres, and of that about 10,000 acres are under cultivation. The next one has 7,000 acres, and about 5,000 acres are in cane. The third has about 3,500 acres, and about 1,500 of them are in cane.

Mr. METCALF. Do you know whether Mr. Havemeyer owns any cane-sugar lands in Cuba?

Mr. ATKINS. Mr. Havemeyer, as an individual, has some interests, which are very moderate interests, in Cuba.

Mr. METCALF. Do you know to what extent?

Mr. ATKINS. I would like to be excused from stating specifically what I know. Mr. Havemeyer is interested with me in the corporation down there. Just what his interest is I beg to be excused from stating, but I can assure you that it is a very moderate interest and not sufficient to exercise control over that one property.

Mr. METCALF. What is the name of the corporation, Mr. Atkins?

Mr. ATKINS. That particular corporation is the Trinidad Sugar Company.

Mr. METCALF. Is he interested with you in any other corporation?

Mr. ATKINS. No. I beg your pardon—he is not—except that I have an investment interest in the refining company.

Mr. METCALF. I understand. Do any of the stockholders of the American Sugar Refining Company—is that the name of the corporation?

Mr. ATKINS. Yes.

Mr. METCALF. Do any of the stockholders of that refinery, other than yourself, own sugar-cane lands in Cuba?

Mr. ATKINS. I know of one or two who have some interests there, simply as investment interests, but they have nothing whatever to do with the refining interests.

Mr. METCALF. Can you furnish their names?

Mr. ATKINS. I would prefer not to do that, because I should consider it a breach of confidence.

Mr. METCALF. Very well. Do any of the directors, to your knowledge, own such lands?

Mr. ATKINS. I would like to assure you that, so far as I know, their interests are extremely moderate and exercise no control whatever.

Mr. METCALF. Do any of the directors of the American Sugar Refining Company, to your knowledge, own any sugar-cane lands in Cuba?

Mr. ATKINS. Mr. Havemeyer is a director of the company.

Mr. METCALF. I say, do any of the other directors?

Mr. ATKINS. Yes; that is the question I supposed I was answering.

Mr. METCALF. I was asking you before about stockholders.

Mr. ATKINS. About stockholders?

Mr. METCALF. Yes.

Mr. ATKINS. I covered, in my answer, both stockholders and directors. I know of two or three instances where people interested in the American Sugar Refining Company are also interested in various business enterprises in the island of Cuba; but in every case, so far as my knowledge extends, those interests are not controlling interests. They are simply investment interests, and they take no part in the management of the corporations.

The CHAIRMAN. Well, leaving out that class.

Mr. ATKINS. Well, I can name them on my fingers. Mr. Kelley, who is here, represents an estate, of which he is a part owner, on the south side of Cuba which turns out from 10,000 to 12,000 tons of sugar per year.

Mr. ROBERTSON. What grade of sugar is that?

Mr. ATKINS. That is standard 69 centrifugal sugar. The Trinidad Sugar Company, of which I am president, at Trinidad, Cuba, has an estate the capacity of which is about 10,000 tons per annum. My own property at Cienfuegos has a capacity of about 12,000 tons of sugar. We turned out last year 11,000 tons. The Homigüero estate is held by a New York corporation, located at Cienfuegos, Cuba, and has a capacity of 12,000 tons. The Constanza estate, recently purchased by parties in Louisiana, represented by Mr. Spellman, connected with the Illinois Central Railroad, I should say should have a capacity of about 20,000 tons of sugar.

The United Fruit Company, of Boston, at a place called Banos, have a factory—a new factory, started last year—with a capacity of about 20,000 tons. There is the property called the "Chaparra Sugar Company," at Puerto Padre, on the north coast of Cuba, which is about ready to start up, owned by New York gentlemen, in which ex-Representative Hawley, of Texas, is interested, and which has a capacity of about 30,000 tons. This estate has never been operated. There is an estate near Santiago, called the "San Francisco," in which Mr. Craig, of Philadelphia, is interested, which will start, I believe, this year with a capacity, I believe, of 15,000 tons of sugar. Now, as far as my memory serves me correctly, I think that is all the bona fide American interests there.

This stockholder of the American Sugar Refining trust asked to be excused from stating specifically what amount the president of that company had invested in the sugar lands of the island of Cuba.

Señor T. Estrada Palma's interview, as he was leaving last week for Cuba:

"I look for very large reductions in the tariff, and when that is secured Cuba can rise. Her people are grateful and happy, and they are willing to work to improve their condition. Last year, without outside help, they made 800,000 tons of sugar, and they will make vastly more next year.

"The wealth of Cuba is in her soil. She can grow vast quantities of the finest fruits and vegetables, and she is rich in minerals, particularly in iron, copper, and manganese. Some of the finest iron ore mined comes from Cuba, and nearly all of the steel used in the construction of the United States ships of war was brought to this country from my country."

"On what do you base the hope that the United States Congress will reduce the tariff duties," General Palma was asked.

"On justice, and also because vast sums of American money are being invested in Cuba," he replied. "The influence back of that American wealth will be exerted to that end. Practically all of the railroads in Cuba are owned at present by American and British capitalists. Those railroads can not get freight rates from the sugar and tobacco planters if a restrictive duty is on their products."

Here is the secret of the agitation that has been going on in this country for concessions to Cuba. To adopt this policy at the instance of American capitalists would be un-American. It is not our policy to encourage the investment of American home capital in foreign countries, but to encourage its investment at home.

Mr. GAINES of Tennessee. Where was that testimony taken?

Mr. TAWNEY. Before the Ways and Means Committee.

Mr. GAINES of Tennessee. Was it taken under oath?

Mr. TAWNEY. No.

Mr. GAINES of Tennessee. Do you excuse witnesses in that way?

Mr. TAWNEY. The witnesses were excused in this instance.

Mr. GAINES of Tennessee. Now, I would like to ask the gentleman one question: How much sugar have the American millionaires gone down and bought in Cuba, does the gentleman know?

Mr. TAWNEY. I will give you what Mr. Atkins said:

Mr. ATKINS. That is standard 69 centrifugal sugar. The Trinidad Sugar Company, of which I am president, at Trinidad, Cuba, has an estate the capacity of which is about 10,000 tons per annum. My own property at Cienfuegos has a capacity of about 12,000 tons of sugar. We turned out last year 11,000 tons. The Homigüero estate is held by a New York corporation, located at Cienfuegos, Cuba, and has a capacity of 12,000 tons, etc.

Mr. Hawley told us that the plantation he was interested in consisted of more than 77,000 acres.

Mr. Atkins, who absolutely refused to give information, was finally forced to admit that there were many large American holdings in Cuba. The aggregate production of all the plantations, he told us, controlled by American corporations will this year amount to over 135,000 tons of sugar.

Mr. GAINES of Tennessee. Does Mr. Hawley want this reduction?

Mr. TAWNEY. He was before our committee and urged it very strenuously. His testimony will be found in the published hearings before the committee.

#### THE EVILS OF THIS POLICY POINTED OUT BY PROFESSOR GUNTON.

Mr. Chairman, in this connection I want to call attention to what I consider one of the ablest statements of the effect of our adopting the policy of encouraging American capital to invest in foreign lands, and the most severe criticism upon it I have seen anywhere. It was published in the March number of Gunton's Magazine, written by the editor of that periodical, Mr. Gunton:

In reply to a question of Chairman PAYNE, Mr. Atkins told the committee that "a very large percentage of the Cuban sugar industry was owned by citizens of the United States." These were the interests for which Mr. Atkins pleaded for free sugar. Now, on what grounds of public policy should the United States protect American investors in foreign countries? Nothing could be more against a sound American policy.

If the protective tariff is of any value whatever to the nation, it is to encourage capital to invest in the development of industry in the United States, not to encourage capital to invest in foreign countries and bring the products to this country in competition with our domestic products. This is exactly what should be prevented. If there is any application of the tariff which should make this impossible, it should be made to the fullest extent. How charming to encourage a state of affairs in which American capitalists, sugar refiners, and what not, could go to Cuba or any other foreign country and use the equivalent of slave labor and be exempt from duty in the United States against competition of other civilized countries. This would be using the tariff to drive capital away from the United States, and encourage the use of the lowest and cheapest labor in the world in preference to employing American labor or the use of the most modern methods in Christendom.

Mr. Atkins ought to be nonsuited on his own presentation of the case. He represents the downward movement of industry. He would give systematic aid to capital in deserting the United States for semicivilized countries and give employment to the lowest and cheapest labor in the world in preference to American labor. Economically nothing could be more scandalous. There is good ground for extending sympathy, and even some economic aid, to Cuba, but there is absolutely none for helping the cheap-labor, pinchbeck policy of Mr. Atkins and the American refiners. That would simply be offering capital a money premium from the United States Treasury to desert American industry and employ the semislave labor of half-civilized countries to supply the American market.

Such a policy would convert the tariff into a deadly weapon for the destruction of American industry and the depression of American labor. If these capitalists want protection or special privileges in the sugar market from the United States, they must invest their capital and conduct the industry in this country, employ American labor, and pay American wages. When American capital goes to a foreign country in pursuit of cheap labor, it loses all claim to protection or privilege in the American market. Protection is not for capital per se, but for American industry. It is for capital and labor employed in the development of industry in this country, but not for any other capital or labor employed in any other country.

Mr. GAINES of Tennessee. What does the gentleman mean by "slave labor" down there?

Mr. TAWNEY. I did not refer to slave labor myself.

Mr. GAINES of Tennessee. But what does that writer mean by the term?

Mr. TAWNEY. I suppose what Mr. Gunton meant by the term "semislave labor" was to describe the condition of labor



in Cuba, which is practically that of half-civilized labor. The people there can clothe themselves with fig leaves and live on bananas; and it is the product of that kind of labor that it is proposed to bring into the United States to be sold in competition with our labor under special tariff privileges and advantages, and all for the benefit of American capital invested in Cuba.

#### FIRST TIME REPUBLICANS HAVE ABANDONED PROTECTION.

Mr. Chairman, this is the first time in the history of the Republican party that leading Republicans have proposed to depart from the policy of protection by taking away from an American industry, yet in the infancy of its development but capable of rivaling any of our giant industries, the protection given to it less than five years ago by ourselves. There is no argument that can be made in favor of it or with respect to the sufficiency of the reduced duty to fully develop this industry that does not apply with infinitely greater force to all other industries.

Under the logic of the advocates of this proposed reduction and in order to be consistent we should likewise reduce duties now imposed on articles manufactured or produced by all other industries. In other words, if we propose to heed the blatant plea of the free-trade press with respect to the duty upon raw sugar, then we should likewise heed that plea and adopt a similar policy with respect to the products of other industries, and thus admit that the policy of our party, as claimed by the free trader, is no longer necessary to encourage any American industry or to protect American labor.

#### NO REPUBLICAN DEFENDS THIS PROPOSITION.

No Republican can logically defend a proposition which takes away from an industry now struggling through the dangerous period of infancy any portion of the protection necessary to its full development and at the same time ignore a sentiment throughout the country demanding a reduction of the duty on articles produced by fully developed industries. There is no industrial or financial distress, either real or imaginary, in any country foreign to our own, I care not how close the relation of that country to the United States, that would justify such action.

While I deny that it can be sustained upon the ground that it is demanded by national honor, yet, even if that were true, our Government, under the control of the Republican party, is also bound in honor to keep faith first with its own people. If this is a debt of honor due to the people of Cuba from the people of the United States, as claimed, then the nation should pay it, and not the farmers engaged in the production of sugar and tobacco. If it is a national obligation, it rests upon all and should be borne by all. Nor should any class of our people or any section of our country seek to impose upon another class or upon another section the burden of discharging an obligation that rests upon the whole country. Nor should the people of one section seek to extend their trade in the market of Cuba or in the market of any other foreign country at the expense of the producers in any other section.

But is it possible for an executive or administrative officer, by an unauthorized promise to a foreign people, to bind the Government to the extent of compelling it to violate obligations of honor and good faith to its own people? This is what must be done if such unauthorized promise has been made in this case and must be kept, for in doing so we violate the pledge made in 1896 by the party now in control of the Government, on the faith of which the people have embarked in the development of the sugar industry. If that is so, then the representatives of the people, chosen by the people to legislate for the people, have been superseded by the administrative departments of the Government, and such departments, not the people, are now supreme.

Mr. Chairman, in view of the express promises of the Republican party in respect to the development of the sugar-producing industry, this bill involves far more than the welfare of Cuba or the extension of our trade in that market or the keeping of vague, indefinite, and unauthorized promises. It involves more than the future growth and development of our sugar industry. It involves the honor and good faith of the Republican party in its administration of governmental affairs affecting the material welfare of the people.

#### THE PRIDE OF THE REPUBLICAN PARTY.

From the time of its birth it has been the pride of the Republican party that its pledges made to the people have been kept ever sacred and performed in good faith. To this more than to anything else it owes its almost uninterrupted control of the Government during the last half of the nineteenth century. Its leaders have never before deviated from that course far enough to receive the commendation or the votes of a majority of the Democrats on this floor, and they would not now receive that commendation if, as I believe, their convictions and the dictates of their own better judgment were followed instead of the mistaken ideas of expediency. [Applause.]

#### THE BENEFITS OF PROTECTION.

Mr. Chairman, the policy of no political party since the formation of our Government has contributed so much to the welfare of the people as has the Republican policy of protection. It has illumined the pathway of national progress. To it we owe our marvelous industrial development. It has not led to a mere concentration of welfare among a small class, but its benefits have extended to all, even from the lowest to the highest. While it is true that under it there has been immense accumulation of wealth, extraordinary investment in productive enterprise, remarkable development in economic devices, there has also been as unmistakable progress in the welfare, growth, and personal independence, and in the social and political power of the manual toilers of our country. Under that policy they have shared equally with all others the opportunity it has afforded for the betterment of the material well-being of the American people, and have so prospered that to-day, in intelligence, in independence of thought and action, as well as in material prosperity, their position is incomparably superior to that of the laboring classes of any other country on the planet. [Loud applause.]

To this system, therefore, as applied by the Dingley law, is due the marvelous rehabilitation, the last five years, of established industries and the unprecedented growth and development of new industries. This act was the Alladin's magic ring that wrought the mighty transformation we to-day witness in the marvelous prosperity of the American people. Therefore, whatever else we should do or might do with safety in respect to the reduction of tariff duties on the products of fully developed industries, let us not betray any feebleness of attachment to the beneficent principle of protection which has fed the stream of our exuberant national life by taking away from our sugar-producing industry—an agricultural industry—any of the protection we ourselves have given it. Whatever the influence demanding this, by whomsoever that influence may be exerted, as we love our country and our party and revere the memory of their past splendors and achievements, we must stand with unflinching firmness by that anchor of our hope, the Republican system of protection to American industry and labor, where the application of that system is essential to the full development of the one or the protection of the other. Then will we attain the fullest possible development of all our resources, secure the greatest happiness and prosperity to the people, and to the nation its highest destiny. [Loud applause.]

Mr. DALZELL. Mr. Chairman, in this, the closing hour of a somewhat protracted debate, it is my desire to occupy as little time as possible, having in view the importance of the questions to be discussed. I do not believe that anything I can say, or that anyone can say now, will influence a vote for or against the pending measure. Its fate has already been decided, irrespective of further debate.

Any intelligent consideration of the bill before the House involves an accurate knowledge of what it is as distinguished from what it is not. It is not, as has been erroneously argued, an attack upon protection. It does not contemplate any revision of the existing tariff law or of any of its schedules. It will not, as I think I shall be able to show, harm any American industry or deprive any American workman of a single day's wage.

If it were otherwise it would not receive my support, for I believe in and am an advocate of the American system inaugurated by Alexander Hamilton, the greatest of all American statesmen. I believe in a protective tariff system as the bulwark of our prosperity, the efficient means of securing to us our home market—the most magnificent of all markets—and of securing to us ultimately our share of the markets of the world.

That system finds its vindication in the splendid realities of to-day. We are riding on the top wave of prosperity. There is no cowardly hiding of capital. It is everywhere courageously invested. There is no man idle who wants to work, no excuse for poverty, no want that industry has not the opportunity to relieve. All our furnaces are in blast, all our factories running, all our mills noisy with the glad response of machinery in continuous motion. Wages are high—never so high before.

In a political policy that has produced such results I am a sincere believer, and any man who questions my loyalty to the protective system because of my attitude with respect to the pending measure does me an injustice. He looks at the question from a different standpoint from mine, and as I believe from a mistaken standpoint. I should regard any revision of the tariff in this time of unexampled and abounding prosperity as the very height of legislative madness.

What, then, is this bill? It is, in the first place, a plain business proposition for reciprocal trade arrangements between the United States and Cuba, and it is justifiable upon plain business principles. But it is more than that. It is a step toward the redemption of the pledge that we made not to Cuba, not to the Cuban

people, but to ourselves when we declared war upon Spain. Indignant at her wrongs in Cuba for three hundred years, we voluntarily assumed to right them. The wreck of our splendid battle ship, the Maine, when on a friendly visit in Habana Harbor, and the sacrifice of our brave seamen exhausted all patience, evoked the irresistible indignation of the American people, and resulted in their determination to put an end to the domination of Spain in Cuba. We resolved upon war, but we resolved upon war with a purpose.

What was that purpose? When President McKinley asked of Congress authority to use the military and naval forces of the United States, he clearly defined and declared the purpose. It was "to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba, and to secure in the island the establishment of a stable government, capable of maintaining order and observing its international obligations, insuring peace and tranquillity and the security of its citizens as well as our own."

That was the purpose for which we went to war. The acquisition of Porto Rico, the acquisition of the Philippine archipelago, the tremendous and unforeseen consequences that have followed upon the Spanish war obscure now to our vision what our original and only purpose was, namely, to secure a stable government in Cuba and to insure peace and tranquillity to her citizens. It was for that that we took up the gage of battle; it was for that that every step was taken in the war that followed upon our declaration; it was for that that Dewey sailed into Manila Bay; that Cervera's fleet was sunken off the coast of Cuba; that on San Juan hill and on the heights of Santiago our brave boys carried to victory the banner of the stars. [Applause.] We drove Spain out of Cuba.

But the driving of Spain out of Cuba was not a redemption of our pledge nor a fulfillment of our self-assumed task, for until there shall be a stable government in that island, until peace and tranquillity shall be insured to its inhabitants, the mission, the purpose we had in view when we took up our arms in the cause of humanity, will still remain unfulfilled. As Mr. McKinley has well said:

We have by reason of having driven Spain out of Cuba become the guarantors of Cuban independence and the guarantors of a stable government in that island, protecting property and life.

It was in conformity with our original purpose that we insisted that the Platt amendment should become part of the Cuban constitution, and as a matter of history it can be said beyond all reasonable doubt or question that it was accepted by the Cubans with the plain understanding upon their part that at some future time we would enter into reciprocal trade relations with them. The acceptance of the Platt amendment established new and closer and more intimate relations between Cuba and ourselves.

By that amendment Cuba formally recognized the Monroe doctrine; by that amendment Cuba agreed to live within her income; agreed that we should have the right to intervene for the preservation of her independence; that all American rights accruing during the military occupation should be respected; that for her protection and our own proper sanitation should be provided; that for the preservation of her independence and for our defense we should have proper coaling and naval stations on the island. Now, I ask you, can Cuba live within her means if she is too poor to buy?

She will not have any customs duties, and internal-revenue taxes she will be unable to pay. How shall she avoid intervention on our part to maintain her independence if her independence, her peace, and good order are hazarded by poverty? How shall she preserve and defend our rights in the island if she is in such turmoil as to imperil her own? How shall she protect her cities and our Southern coast by costly sanitation if she has not the means to secure it?

I say to you, my friends, that to impose these obligations upon that people, knowing their poverty, and then to cast them helpless adrift, is not of a piece with that splendid chapter in the world's history and in our history that records our rescue of Cuba from the domination of Spain.

I assert as a fundamental proposition that a stable government is possible only to a contented people. The world's history of revolutions and insurrections is the bloody record of discontent. And I assert, furthermore, that to insure peace and tranquillity to any people you must have prosperous industrial conditions; that poverty and bankruptcy are the efficient causes of popular uprisings and of crimes against law and order.

Now, what is Cuba's situation as to her industrial condition? At the beginning of our war with Spain the people of Cuba were in a deplorable situation. Weyler's policy of cruelty had resulted in starvation, insanity, and death. Cuba's industries were entirely prostrated. Her fields were waste, her factories were dismantled. Her rich had become poor; her poor had become destitute and desperate. Domestic comfort and happiness were

unknown. Labor found no employment. Poor, distracted, persecuted Cuba was bankrupt—bankrupt even of hope.

Notwithstanding that situation, no sooner had relief arrived by reason of American intervention than the Cuban put all his energies to work to reestablish himself, to build up the waste places, to replant her fields and rebuild her factories. Such capital as the Cuban had he invested in repairing losses. Wherever he could he borrowed. He mortgaged the future, and he had commendable success. The crop of sugar in 1900 was 300,073 tons. In 1901 it had grown to 615,000 tons, and during this year the crop will amount to between 800,000 and 900,000 tons. But unfortunately Cuba's apparent wealth is the cause of her poverty and distress. Cuba has substantially but one industry, and that is sugar.

More than one-half of all the inhabitants of Cuba directly and indirectly depend upon sugar for their sustenance; not the rich planters alone, but the humble colonos, the men who cultivate little farms in cane, not exceeding on an average 27 acres. Now, owing to the overproduction of sugar in the world's market, by reason of the bounty system of Europe, the price of sugar has fallen below the cost of production, and as a consequence—is it not too apparent for argument?—Cuba again for the second time faces bankruptcy. Let me show you what the real situation of things is, from a person who knows. I have here a letter from General Wood, addressed to the chairman of the Committee on Ways and Means. He says:

Planters have exhausted their resources, and a crisis, bringing with it financial ruin to the agricultural industries of the island, and through them to its commerce, is imminent. The people of this island are entitled to the greatest praise for what they have accomplished in the three years following the war. They have brought the sugar production up to a point where it will this year be two-thirds of the maximum output of the island. They have done this with the balance of trade against them to the extent of \$30,000,000 during the past three years; however, in accomplishing this result they have invested not only all their reserve capital but have borrowed heavily.

Had the price of sugar continued at the normal average of former years their labors would have resulted in success, but the large production of bounty-fed sugars and East Indian sugars has resulted in a competition forcing the prices of sugar to a point lower than ever before known, and Cuba finds herself to-day financially exhausted, an enormous crop of cane sugar in her fields, and forced to compete with highly protected American sugar and the bounty-fed sugar of Europe, her sugars receiving no consideration whatever.

It is impossible for her to continue the struggle under present conditions; relief must be granted, and granted quickly, or a condition will arise in the island which will render the establishment and maintenance of a stable government highly improbable. A reasonable concession now will enable the regeneration and reconstruction of the island to continue. It will induce immigration and build up the industries of the island and its commerce.

Now, that is the testimony, not of any mere on-looker, not of any visitor to Cuba upon pleasure or otherwise, but of the man who has presided over the destinies of Cuba ever since the American Army occupied its soil; and if that be the condition of things, what is to be done? Cuba is about to inaugurate a new government. She is about to enter upon a new and untried field, which will call for the exercise of all the virtues upon which the success of republican government depends. And we are standing by, our pledge still fresh in our minds, a pledge for which we went to war, that we will secure to her a stable government and insure to her citizens peace and tranquillity.

Now, under these circumstances, what, I submit to you, is our duty? Have we any advice? Yes. From beyond the confines of the tomb at Canton comes the voice of the President, who, being dead, yet speaketh; and I invite you to his conception of the duty that now confronts us:

We must see to it that free Cuba be a reality, not a name; a perfect entity, not a hasty experiment bearing within itself the elements of failure. Our mission to accomplish which we took up the wager of battle is not to be fulfilled by turning adrift any loosely framed commonwealth to face the vicissitudes which too often attend weaker States, whose natural wealth and abundant resources are offset by the incongruities of their political organization, and the recurring occasions for internal rivalries to sap their strength and dissipate their energies.

That is the conception of President McKinley as to our duty under the present circumstances and it is in the line of the argument I would impress upon this committee, that we carry out and do not forget the mission upon which we entered when we took up arms for Cuba in the cause of humanity.

Now, then, it is apparent that if we are going to accomplish this mission, as I have defined it, we must do something for Cuba. No gentleman who has participated in this debate so far as I have heard has denied that proposition—we must do something for Cuba. Now, what shall it be? In what shape shall the relief come? Is there any advice which has been offered to us, and what is that advice? Yea, verily. From the military governor of Cuba, from the Secretary of War, from the dead President and the living President, from the influential press of the country, from pulpit and platform, and from private sources all over this country comes a demand for reciprocal trade relations with Cuba. Let me show you. Governor Wood says:

Cuba has submitted a proposition of reciprocity which will turn to the United States \$24,000,000 of the \$37,000,000 of her trade which last year went



to Europe, and under conditions of increasing agricultural and commercial prosperity her trade will soon be among the most valuable which we have. To-day it amounts to a little less than \$70,000,000. With conditions of confidence and prosperity it will probably soon reach \$150,000,000—a trade well worth cultivating—and of this amount at least \$144,000,000 should come from the United States.

We are bound to maintain a stable government there. We must protect our Southern seacoast from infection from Cuba; in other words, we are bound to protect Cuba, politically and territorially, and maintain her in a sanitary condition. Unless we permit her industries to live she will not have the resources to do it, and we shall have to again take hold of the work and do over again what we have already accomplished.

Next comes the Secretary of War, who says:

Our present duty to Cuba can be performed by the making of such reciprocal tariff arrangements with her as President McKinley urged in his last words to his countrymen at Buffalo on the 5th of September. A reasonable reduction in our duties upon Cuban sugar and tobacco in exchange for fairly compensatory reductions of Cuban duties upon American products will answer the purpose, and I strongly urge that such an arrangement be promptly made.

And again:

Aside from the moral obligation to which we committed ourselves when we drove Spain out of Cuba, and aside from the ordinary considerations of commercial advantage involved in a reciprocity treaty, there are the weightiest reasons of American public policy pointing in the same direction; for the peace of Cuba is necessary to the peace of the United States; the health of Cuba is necessary to the health of the United States; the independence of Cuba is necessary to the safety of the United States. The same considerations that led to the war with Spain now require that a commercial arrangement be made under which Cuba can live. The condition of the sugar and tobacco industries in Cuba is already such that the earliest possible action by Congress upon this subject is desirable.

Then comes the President of the United States, who says:

Elsewhere I have discussed the question of reciprocity. In the case of Cuba, however, there are weighty reasons of morality and of national interest why the policy should be held to have a peculiar application, and I most earnestly ask your attention to the wisdom—indeed, to the vital need—of providing for a substantial reduction in the tariff duties on Cuban imports into the United States.

Cuba has in her constitution affirmed what we desired, that she should stand, in international matters, in closer and more friendly relations with us than with any other power; and we are bound by every consideration of honor and expediency to pass commercial measures in the interest of her material well-being. (Message of the President, December 3, 1901.)

Here, then, are suggestions all in the same line, proposing the same thing. Now, it is no secret; on the contrary, it is a matter of public notoriety, that when this problem came to the Committee on Ways and Means for solution they found a divergence of views within their own circle. The consequence was that they came here and asked the advice of their fellow Republicans.

The result of a number of conferences was an instruction to the Republican members of the Ways and Means Committee to bring in this bill. This bill, therefore, is a Republican bill. It is a bill in line with General Wood's recommendation. It is a bill that conforms to the policy of President McKinley and of President Roosevelt and of the Secretary of War and of the press of the country, and I verily believe of a majority of all the people of this country without respect to party.

I need not stop now at this stage of the debate to show that it is a simple business proposition, as I have said, proposing reciprocal trade relations between the United States and Cuba—20 per cent off our tariff at this end upon her products and an equivalent reduction of the tariff duties at the other end upon our products. Now, that seems to be on its face a fair proposition and unobjectionable; yet objections have been made to it, and I propose to take up those objections one by one and to give you my answer to them.

It is said, in the first place, that the Cubans will suffer no loss upon their sugar production. Well, that depends upon how much it costs Cuba to make sugar, and how much she can get for sugar when made in the market. The consensus of opinion of all witnesses before the committee was that the cost of making sugar in Cuba was 2 cents a pound. Mr. Atkins, a sugar planter for twenty-five years in the island of Cuba, testified that the average cost of production was 2.16 cents a pound.

Mr. LITTLEFIELD. Will the gentleman allow me to ask him a question?

Mr. DALZELL. Certainly.

Mr. LITTLEFIELD. Did Mr. Atkins refuse to say what it actually cost him? I was not present at the hearings.

Mr. DALZELL. Mr. Atkins refused to give the items from his books. He did not want to disclose his business.

Mr. LITTLEFIELD. Did he give the actual cost to him?

Mr. DALZELL. Two and sixteen one-hundredths.

Mr. LITTLEFIELD. Was that the average or the cost to him?

Mr. DALZELL. That was the average cost to him.

Mr. LITTLEFIELD. To him?

Mr. DALZELL. To him.

Mr. Bliss, our collector at the port of Habana, examined personally the books, item by item, of 12 different establishments, and he testified that in every case, with one single exception, the cost of producing sugar was over 2 cents a pound, 2 cents and a fraction. There was one case where it was 1.98 and a fraction.

Mr. Saylor, an agent of the Agricultural Department, testified that in 1898 he had made an examination of the sugar industry in

Cuba and Porto Rico, and he testified that the cost of production was from 1.50 to 1.75; but he testified also that that was in 1898, and that wages had risen since that time from 50 to 100 per cent. And this, by the way, explains the find that my friend, the gentleman from Minnesota, made when delving in the archives of the Spanish Commission. He found that in 1894, 1895, and 1896 sugar was produced in Cuba at \$1.60 a hundred.

I have no doubt of it. It was produced up to 1898 at \$1.66 a hundred, but since that time, according to the testimony, wages have increased from 50 to 100 per cent. But let us say 50 per cent, and that would make the cost of sugar to which he refers, that which he found delving among the Spanish Commission archives, \$2.42 a hundred. So that I am justified in saying upon all the testimony, and fairly justified, that the average cost of sugar in Cuba this last year was \$2 a hundred, or 2 cents a pound.

Now, on the 1st of April or thereabouts, sugar was worth in Cuba, free on board, in the ports of Habana and Matanzas and other ports, \$1.81, so that at a cost of 2 cents a pound the loss to the Cuban planter would be .19 of a cent, or 19 cents a hundred, or \$3.80 a ton. So that the proposition that the Cuban planter will sustain no loss on this year's crop goes by the board when we come to examine the testimony, because we can come to no other result than that the Cuban planter under existing circumstances must lose \$3.80 a ton.

Now, let us take the other horn of the dilemma—and, by the way, these two propositions, the first that the Cuban planter would lose nothing, and the second that our concession would not help him because it is too small, were both made in the same speech. Take the other horn of the dilemma—that our concession will not reach his trouble—and let us see how that comes out. The duty on Cuban sugar is 1.685, and 20 per cent of that is 0.337. The concession therefore is 0.348. Add 0.348 to 1.81—the price of sugar at Habana and the other ports of Cuba—and you have 15 cents a hundred profit, or \$3 a ton. So I care not which horn of the dilemma you accept—whether you say the Cuban planter suffers no loss, or whether you say that this concession will not meet his loss—in either event, the evidence is a refutation of both assertions.

But the next proposition is that this concession will not go to the sugar planters; that it will go to the trust. Oh, my friends, when you have a bad argument, a poor cause, a failing cause, have no fear. Simply shut your eyes and cry "Trust." If you find no satisfaction within the domain of reason, desert it and enter the domain of passion and unreasoning prejudice, and denounce trusts. No such argument, no such demagogic cry, can meet the necessities of this case, because it is capable of being reasoned out upon the facts that are in evidence.

Why, on principle this concession ought to go to the sugar planter of Cuba. Why? Everybody concedes that the price of sugar is fixed in Hamburg. We have not anything at all to do with the fixing of the price of sugar primarily; it is fixed in Hamburg. The New York price of sugar, therefore, is the Hamburg price, plus the cost of carriage, plus the duty, and plus the countervailing duty. The price of Cuban sugar in Habana is the New York price, less the duty and less the cost of carriage. The price of Porto Rican sugar at San Juan is the New York price, less the cost of carriage, because there is no duty on it. The cost of Hawaiian sugar at Honolulu is the New York price, less the cost of carriage, because there is no duty on that.

Now, why is it, I want to know, that this economic law does not apply in the case of Cuba as it does in the case of all other countries? Why, they tell you it is because there is only one market and there is only one buyer in that market. I deny it. I read from the testimony of Mr. Post, given before the committee. Mr. Post is a partner in the firm of B. H. Howell, Son & Co., raw and refined sugar commission merchants in New York, and agent for the following three sugar refineries: Mollenhauer, New York, and National.

He says:

There are eight or ten of these refineries, making from 20,000 to 22,000 barrels of sugar per day. These refineries are located in New York, Philadelphia, Boston, New Orleans, Texas, and San Francisco. If you want their names, I will be glad to give them to you.

The CHAIRMAN. Will you give their names?

Mr. POST. These refineries are Mollenhauer—

The CHAIRMAN. And give the annual output of each.

Mr. POST. I will.

Capacity per day.	Barrels.
Mollenhauer Refinery	3,000
New York Refinery	4,000
National Refinery	3,000
Arbuckle Refinery	4,000
McCahan Refinery, of Philadelphia	3,000
Nash, Spaulding Refinery, of Boston	1,000
Henderson Refinery, of New Orleans	1,000
Gramercy Refinery, of New Orleans	1,000
Hawaiian Refinery, of San Francisco	1,500
Cunningham Refinery, of Texas	500
Total	22,000

Mr. McCLELLAN. Are these independent refineries?  
Mr. POST. They are independent, except the three I represent—the National, New York, and Mollenbaur—these three being together.  
Mr. McCLELLAN. I mean independent of the trust.  
Mr. POST. Independent of the trust, yes, sir; they all buy their sugars as they please and they sell them in competition.

Mr. SHAFROTH. How does the gentleman reconcile that with the statement of Mr. Havemeyer before the Industrial Commission that the sugar trust controlled 90 per cent of the output of sugar in this country?

Mr. DALZELL. I reconcile it by saying that either Mr. Havemeyer was mistaken or that a different condition of things prevailed when he made that answer (which was some time ago) from that which prevailed when this answer was given, because the record shows that of the sugar refined in this country last year 58 per cent was refined by the so-called "trust" and 42 per cent by these ten independent refineries.

But even if there were only one buyer instead of many in the market, there is only one price in the New York market. There can be only one prevailing price in a given market at a given time. There is no difference in sugars, except as to their saccharine strength. The American Sugar Refining Company does not know many times whence its sugar comes. It buys sugar in bond on the day it needs it, and pays the New York price.

But in addition to all that, from time immemorial, without a break, Louisiana sugar, Porto Rican sugar, Cuban sugar, Hawaiian sugar have all sold in the New York market at the New York price—all on the same basis less the cost of carriage, and where there was a duty, with the duty added. And what has taken place in the past will take place in the future. There is no reason why there should be any change. There is no reason why the economic law that has prevailed throughout all these years should not continue to prevail in the future.

But, in addition to all that, it is proven that when the duty was taken off Porto Rican sugar the benefit of the remission of duty inured to the Porto Rican. It was proven that when the duty was taken off the Hawaiian sugar the benefit inured to the Hawaiians.

As against this, what have we? We have the most ingenious argument of the gentleman from Minnesota [Mr. MORRIS], who gets together a lot of figures and works an equation to prove that the Hawaiian does not get the benefit of the remission of duty; that the Porto Rican does not get the benefit of the remission of duty, and therefore the Cuban will not get the benefit of this reduction. Why, let me show you his calculation; it is in the shape of an equation. It is fearfully and wonderfully made. It reads this way:

$$3.40 + 0.12 + 0.23 + 0.05 - 3.80 = 2.20 + 0.08 + 0.27 + 1.63 = \text{total, 4.18.}$$

Therefore the Cubans will not get the benefit of this reduction of duty! Why, he says it works out with the exactness of a theorem in Euclid, and I grant you that it does, and it has just as much to do with this case as a theorem in Euclid. What is it that we are inquiring about? We are inquiring about a question of fact.

Why, sir, no man undertakes to solve a question of fact by an algebraic or geometrical problem. If I want to know, my friend, whether you have received a certain amount of money on a certain day, I do not sit down and say, " $x$  plus  $y$  equals  $z$ ." I simply ask you whether you have received the money or not. Facts are proved, not by figures, but by evidence. And the evidence on this score is beyond all dispute and controversy.

Let me read it to you. Here is the testimony of Mr. Mendoza before the Committee on Ways and Means:

The struggle here seems to me more against the sugar trust than against Cuba. The American Sugar Refining Company and Mr. Havemeyer are mentioned more frequently than Cuba. Some one said that we were influenced by them because we had asked for free raw sugar. We did not think of any other sugar, because raw sugar is the only kind we produce.

Whatever reduction is made, I do not see how it can go to anyone else than to the planter and the laborers, just as it has in the case of Hawaii and Porto Rico. There is only one price for sugar in the New York market, and if a reduction is made the benefit of it will go to the sugar grower. No sugar has yet been sold, so I do not see how the sugar trust can own it.

Here is the testimony of Mr. Atkins:

The CHAIRMAN. I would like to go back again to the price of the raw sugar of Hawaii landed in New York. How does that compare with the price of your raw sugar from Cuba?

Mr. ATKINS. The price the refiner pays for Hawaiian sugar landed at New York is just exactly the same as for a cargo landed from Cuba. The difference is that the seller of Hawaiian sugar gets 31 cents for a pound and I get 31 cents from the refiner, but I have to go to the United States custom-house and pay them 1.68 cents before I can withdraw my sugar from the warehouse.

Mr. METCALF. Going back to the question of free trade and reciprocity with Hawaii in 1876, was the price of sugar to the consumer reduced at all?

Mr. ATKINS. No, sir; the effect of the admission of the sugars of the Hawaiian Islands was to give the difference to the producers of the Sandwich Islands.

Here is what Mr. MONDELL, a member of the House, says in his recent speech. He had spent a month in Honolulu and conversed with the sugar planters there.

I wanted to know whether that organization, the sugar trust, had been able to rob the American planter of any of the benefits derived from free access to our markets.

The planters with whom I talked informed me that they had an agreement whereby they sold their sugar to the agents of the American refineries at a price equivalent to the New York price of sugar on the day their sugar landed in San Francisco, less the difference in freight rates. I ask the attention of my friend from Minnesota [Mr. MORRIS] to this as the testimony of Hawaiian planters themselves three years ago. The gentleman has contended that the Hawaiian planter is not getting the full benefit of the relief from the payment of the American duty, whereas Hawaiian planters said to me—and a number of them made the same statement—that they had an agreement whereby they were paid for their sugar, on the day it landed in San Francisco, the price of the same quality of sugar, duty paid, on the same day in the markets of New York, less an agreed adjustment of freights. So they received absolutely all that their sugar was worth and all of the benefit of the remission of tariff duty.

Here is the testimony of our consul at Hawaii, Mr. Haywood:

The CHAIRMAN. I would like to know the relation of the price in Hawaii to the price in New York.

Mr. HAYWOOD. As I understand it, several plantations in Hawaii make a contract to sell their sugars for three years at the price in New York. The day the cargo arrives there that price is fixed, as I understand it, and, as the committee has been told in the last several days, by the price of sugar in Hamburg.

The CHAIRMAN. As you understand, they get their full price for their Hawaiian sugar?

Mr. HAYWOOD. They get the full price that sugar is selling for in New York as soon as sugars arrive there.

The CHAIRMAN. And how long has that been?

Mr. HAYWOOD. Those contracts?

The CHAIRMAN. Yes.

Mr. HAYWOOD. Since I first went there, about five years ago.

The CHAIRMAN. So, notwithstanding the fact that the American sugar trust is the only customer of the Hawaiian sugar, that gets a full price for it?

Mr. HAYWOOD. They get the price the day the sugar arrives in New York, whatever that may be.

Mr. Oxnard has just made a suggestion that we do not get the same price for our sugar in San Francisco. I think it is three-sixteenths less in San Francisco than the price paid for the sugar that goes to New York.

The CHAIRMAN. What proportion of the sugar goes to San Francisco?

Mr. HAYWOOD. I do not think that the greater portion goes there; I think the greater portion goes to New York.

The CHAIRMAN. Since you have been producing more?

Mr. HAYWOOD. Yes, sir.

The CHAIRMAN. More than the Pacific coast needs?

Mr. HAYWOOD. I presume so; yes, sir.

Mr. LONG. What is the reason for the difference of three-sixteenths?

Mr. HAYWOOD. As I understand it, the reason given by the purchasers is to cover freight.

Mr. LONG. Freight from San Francisco?

Mr. HAYWOOD. From San Francisco to New York.

So that, relying upon the undisputed testimony and banishing from our minds for the time being this ghost of a "trust," it is perfectly apparent that if this 20 per cent be taken by this bill off sugar coming into the United States the benefit of this reduction will go to help the sugar planters of Cuba.

But my friend from Michigan [Mr. WM. ALDEN SMITH] says, "What is the sugar trust lobbying here for?" I will answer him. Since this controversy began I have never seen, spoken with, or been approached by a solitary representative of the American or any other sugar refining company. On the other hand, my life has been made miserable by the lobbyists of the beet-sugar business. They have swarmed in these corridors. They have camped in the room of the Committee on Ways and Means, and when I came through from the other end of the Capitol, in the morning, on my way to my committee room, they have followed me along the corridor, pouring into my ears their plea. They swarmed in the galleries the other day and joined in the well-merited applause that followed the speech of my friend from Michigan [Mr. WM. ALDEN SMITH], for it was a splendid speech. It was eloquent; it was scholarly; it was a good protection speech. It had only one fault—it had no relevancy to the subject before the House. [Laughter.]

One other argument has been used to prove that this concession would not go to the sugar planter. In the Republican conferences it was argued and it was argued here that it would not go to the sugar planter of Cuba, because, forsooth, this octopus, this sugar trust had already gobbled up all the sugars of Cuba, and that argument prevailed and seemed to have some weight until the chairman of the Committee on Ways and Means [Mr. PAYNE] made his speech in the House the other day and presented this telegram, which I will read, from General Wood, going to show that the sugar of Cuba is in the hands of the sugar planters of Cuba. The telegram is as follows:

Copy of cablegram received at War Department April 2, 1902.

HABANA, \_\_\_\_\_.

EDWARDS, War Department, Washington:

Telegrams sent to 194 sugar centrals, to which 126 answers have been received to date; also telegrams sent to 33 Cuban banking firms, to which 34 replies have been received.

Figures, according to replies received, as follows:

	Long tons.
Output for the year to March 25 .....	584,259
Amount actually in hands of planters .....	217,561
Sold and delivered to island firms .....	194,913
Contracted for in the island and not yet delivered .....	43,578
Pledged as security for loans in the island, but not sold .....	235,222
Held at the option of the American Sugar Refining Company .....	3,285
Held at option of other American purchasers .....	2,285
Exported to the United States .....	25,646

All sugar above mentioned, except that at the option of American Sugar Refining Company and other American purchasers, is in the hands of Cuban



planters and Cuban and Spanish commission houses doing business in the island of Cuba and is not at the option of anyone. Where held as security for loans advanced to planters, the planters will get the advantage of any raise in price under conditions of deposit, as is the custom in the island. This statement shows conclusively the absolute falsity of the declarations that the sugar trusts have control of considerable portion of Cuban sugar crop. Other statements will be furnished as soon as possible.

WOOD, Military Governor.

Received at War Department April 7, 1902.

HABANA, April 7, 1902.

Captain EDWARDS,  
War Department, Washington:

Reference your telegram to-day, telegrams sent to 194 sugar centrals, as previously reported in my telegram 2d instant. Ten additional replies received since, which report as follows:

	Long tons.
Output for the year	24,755
Amount in hands of planters	13,200
Sold and delivered	11,311
Contracted for with island firms but not delivered	3,019
Pledged as security for loans in island but not sold	1,546

All sugar above mentioned is in hands of planters and Cuban and Spanish commission houses doing business in the islands with the exception of 2,393 long tons exported to United States. None at option of American Sugar Refining Company nor other American purchasers. Where held as security for loans, planters will get advantage of rise in price, as stated in telegram of 2d instant. Two remaining banking firms replied: "Do not make loans on sugar." Above amounts should be added to my cable of April 3. No change in situation.

WOOD, Military Governor.

And then, upon the reading of this telegram, lo and behold—and I give them credit for their ingenuity—our friends upon the other side made a flip-flop, turning a summersault so quick you could hardly see them, and abandoned that argument and came in and read an article from the New York Journal of Commerce which quoted the last annual report of the American Sugar Refining Company to show that it had \$10,000,000 of sugar less on hand now than it had at the same time last year, and they said, "Look at it, look at it; this trust is waiting on this legislation, and they are not buying!" Well, my friends, I will tell you why they are not buying. They are not buying because the Cuban planter will not sell. He is the party who is waiting on this legislation, and not the American Sugar Refining Company. [Applause.]

Now, my friends, my time is passing rapidly. I have answered every argument that has been advanced during this discussion going to show that this bill will not effect its purpose by carrying relief to the Cuban sugar planter, every one of them, and I come now to the question of whether it will injure the beet-sugar industry.

Now, there is a starting point upon that subject which renders the discussion more easy, and that is this: It is conceded by everyone that this bill will not alter the price of sugar to the American consumer a single solitary mill. That is conceded, and in the nature of things it could not be otherwise, because if you come to consider that our annual consumption is about two and a half millions of tons, that our annual production is about 900,000 tons, and that includes cane and beet sugar, and includes Porto Rico and Hawaii, it necessarily follows that we must import 1,600,000 tons of sugar. Of those 1,600,000 tons of sugar, Cuba can not furnish more than 850,000 tons, and we must therefore import outside 750,000 tons of sugar.

That being the case, need I stultify myself by standing here to argue that this concession would not make an iota of a mill of difference in the cost of sugar to the consumer? Will my friends answer me this question: If the American beet-sugar producer can sell his sugar in the market for the same price after this bill is passed that he sells it before the bill is passed, how is he hurt? Will any gentleman undertake to answer that question?

Oh, they say it will arrest the spread of the industry. Well, if the industry is making money now and if sugar will sell at the same price after the passage of this bill as before, how will it arrest the spread of the industry? Answer me that question. Oh, they say—they did say, but I think they have abandoned it—sugar production will increase in Cuba so as to come in competition with the sugar production in the United States. How much, I ask, can sugar production increase in Cuba in the next ten months?

Mr. WM. ALDEN SMITH. It doubled in the last year, nearly.  
Mr. CONNELL. What about the consumption in this country every year?

Mr. DALZELL. Why, the consumption increases at a remarkable rate. I have the figures somewhere. We consume 65 pounds of sugar per capita now.

Mr. PAYNE. It increases 7 per cent every year.

Mr. DALZELL. But, Mr. Chairman, and gentlemen, I go a step further. I say that beet sugar in this country does not require any protection, and the witness I call to support that proposition is the most prominent beet-sugar producer in the United States, and the one who has headed the lobby that has infested this capital for the last six weeks, and I am going to read to you

what he says. It has been referred to oftentimes, but never read. I am going to read to you what he said. Mr. Oxnard, in 1899, said:

Perhaps it may be well to draw attention to one or two features of the industry:

(1) Its product is a staple of universal consumption and of the readiest sale.

(2) The product is a finished article, the sugar being turned out refined and granulated, the manufacturer not being dependent upon the refiners' trust for his market.

(3) Competition by home production is so remote as to be scarcely worth consideration. The United States is now compelled to import three-quarters of its consumption, and it would take at least 300 factories of a daily capacity of 500 tons of beets to produce present importation.

Regarding the future development and permanency of the beet-sugar industry in the United States there can be absolutely no doubt, for the following reasons:

(1) Of the tropical countries which it is proposed to annex to the United States, Porto Rico is too small to cut any figure, and the Philippine Islands have not the necessary elements for the expansion of the sugar business sufficiently rapid to give any concern to those interested in the production of sugar from beets in this country for the next twenty-five years to come.

(2) The island of Cuba is so situated that its sugar industry can rapidly recover the ground lost during the insurrection, provided that the labor question there can be satisfactorily settled. There is, however, no fear that Cuban production, even under an annexation to the United States, can in our day expand to the point where the United States would become exporters of sugar instead of importers, and hence that protection would no longer protect.

(3) Greater than all the above assurances of the permanence of the sugar industry in this country is the fact that sugar can be produced cheaper here than it can be in Europe. The sugar industry is, after all, merely an agricultural one. We can undersell Europe in the production of all other crops, and sugar is no exception. The sugar consumed in the civilized world consists of 3,000,000 tons of cane sugar grown in the Tropics and 5,000,000 tons of beet sugar grown on the continent of Europe. Therefore in considering any given sugar enterprise, if it can meet and overcome the competition of sugar on the continent of Europe, it is perfectly safe to say that it has a permanent future.

Now, Mr. Oxnard says that he was mistaken, because he based his calculation upon figures that did not materialize. I deny it. I read from this same circular that these figures are based upon his experience in the beet-sugar business in the States of California and Nebraska, and he says that the figures instead of being extravagant are conservative.

And over against any denial, in addition to that statement, I put the further fact that when Mr. Oxnard made that statement he had been nine years in the beet-sugar business, and there had been then produced and marketed of beet sugar in the United States 300,000 tons. So that I have here, as I say, the testimony of the most prominent beet-sugar man in this country to the effect that beet sugar needs no protection. Furthermore, he was justified by the figures of the beet-sugar industry.

According to the United States census bulletin the average price paid for a ton of 2,000 pounds of beets in the United States is \$4.39. The average per cent of sucrose carried by the beets is 14.5 per cent. But suppose we assume only 12 per cent, or 240 pounds of refined sugar to a ton of beets. One hundred tons of beets at \$4.39 per ton equals \$439. Manufacturing at \$3 per ton, Mr. Oxnard's figure, equals \$300. A 12 per cent yield of sugar would make the cost of 24,000 pounds of refined sugar \$739, or a little less than 3 cents and 1 mill per pound.

The average price of granulated sugar during the last year was 5.05 cents per pound. On this basis the beet-sugar producer had a profit of about 2 cents a pound, or \$40 a ton. But suppose we say that Mr. Oxnard was mistaken as to his \$3 for the cost of manufacture, and call it \$4. Then we have the cost of beets and manufacture \$839 instead of \$739, and the cost per hundred pounds \$3.41. The profit then would be \$1.64 per hundred, or \$32.80 per ton.

Now, it is manifest that upon any basis of figures for which we have testimony Mr. Oxnard was right when he said that beet sugar needed no protection.

But there is no contention here that beet sugar shall not receive protection. The claim that this bill is inconsistent with protection is simply ridiculous. Republican platforms have been appealed to. Will gentlemen point to any Republican platform that ever guaranteed a particular rate of duty on any particular article? Protection means principle, not schedules.

There is no proposition here to remove from beet sugar any adequate protection. The gentleman from Iowa [Mr. HEPBURN] was unfortunate when, appealing to me a little while ago, he sought to draw a parallel between tin plate and beet sugar. Why, we took 50 per cent of the duty off tin plate, and nobody pretended that we were depriving it of protection, and it flourished and grew until now it fills the entire market. Think of talking about depriving beet sugar of protection when you leave 70 per cent of protection on it.

Mr. TAWNEY. How does that compare with glass, with 154 per cent?

Mr. DALZELL. I do not care how it agrees with anything else. It is more than sufficient to protect the article, which, according to its chief apostle, needs no protection at all. And when gentlemen talk about a violation of Republican pledges and

Republican platforms, they simply indulge in a hysteria that has deprived them of their good, calm, deliberate judgment. Thus far I have demonstrated that the pending measure will bring relief to Cuba and that it will not injure any American industry, and is therefore not in conflict with the doctrine of protection.

I might well rest the case here. But it is argued that the reciprocity of this bill is at war with Republican principles. One gentleman has said that this is not Blaine reciprocity, is not McKinley reciprocity, is not Dingley reciprocity. In that he is mistaken, as I will show.

In 1890, when the McKinley bill was under consideration, Mr. Blaine, then Secretary of State, made a recommendation to President Harrison in which he said:

To escape the delay and uncertainty of treaties, an amendment to the pending tariff bill authorizing the President to declare the ports of the United States free to all the products of any nation of the American hemisphere upon which no export duties are imposed, whenever, and so long as, such nations shall admit to its ports, free of all national, provincial (State), municipal, and other taxes, our flour, corn meal, and other breadstuffs, preserved meats, fish, vegetables and fruits, cotton-seed oil, rice, and other provisions, including all articles of food, lumber, furniture, and other articles of wood, agricultural implements and machinery, mining and mechanical machinery, structural steel and iron, steel rails, locomotives, railway cars and supplies, street cars, and refined petroleum.

I mention these particular articles because they have been most frequently referred to as those with which a valuable exchange could be readily affected. The list could, no doubt, be profitably enlarged by a careful investigation of the needs and advantages of both the home and foreign markets.

Of course, the exchanges involved in these propositions would be rendered impossible if Congress, in its wisdom, should repeal the duty on sugar by direct legislation, instead of allowing the same object to be attained by the reciprocal arrangements suggested.

His letter was forwarded to Congress by President Harrison in a message in which, amongst other things, he said:

If after the Congress shall have acted upon pending tariff legislation it shall appear that, under the general treaty-making power or under any special powers given by law, our trade with the States represented in the conference can be enlarged upon a basis of mutual advantage, it will be promptly done.

In response to these recommendations, the Ways and Means Committee embodied in the McKinley bill its well-known reciprocity feature, which, while it provided for free sugar, provided also for a duty on sugar as against all countries that would not make reciprocal agreements with us for favorable entry of our products into their markets.

Under the reciprocal feature of the McKinley bill we made treaties with a number of nations whereby in consideration of letting sugar come into our markets free we obtained equivalent concessions for our goods in their markets. These nations were Cuba, British West Indies, Brazil, Porto Rico, Dominican Republic, British Guiana, Nicaragua, Salvador, Honduras, Guatemala, Germany, Austria-Hungary. In point of fact the era of the McKinley bill was an era of reciprocity, during which the chief factor in our reciprocity dealings was sugar.

All of these treaties were abrogated by the Democratic party when it came into power, and for that abrogation we denounced that party in the Republican platform of 1896.

When the Dingley bill came to be drawn, provision was made therein for reciprocity; reciprocity by treaties to be approved by Congress, and commercial agreements to be made by the President. Under the Dingley law reciprocity treaties now exist with France, Germany, Portugal, and Italy, and a number of other treaties are pending in the Senate, awaiting action thereon.

What Mr. Dingley's view of the subject was may be gathered from a report submitted by the Ways and Means Committee, from which I will read.

In submitting their report, signed by every Republican member of the Ways and Means Committee (including Mr. TAWNEY, of Minnesota) and headed by Mr. Dingley, the committee say:

In submitting this report and the testimony that accompanies it your committee can not refrain from again calling attention to the unanimity of opinion among the commercial and industrial associations of the United States that the reciprocity arrangements negotiated under the tariff act of 1890 were of great benefit to the United States, that their repeal was a public calamity, and that the policy they represented shall be permanently adopted in our tariff legislation.

What Mr. Roosevelt thinks upon this subject appears from what I have already said. I am justified, therefore, in challenging the assertion of the gentleman from Minnesota when he would array against this bill the honored names of Blaine and McKinley and Dingley.

But before leaving this subject I want to submit some extracts from the Dingley report on reciprocity in the Fifty-fourth Congress. The question before us, I have heretofore said, is in one aspect a business question, and what I desire to submit has a bearing on that phase of the question. It will go to show what we may expect by way of material advantage from the adoption of this measure.

It is a report of the Committee on Ways and Means in the Fifty-fourth Congress concerning reciprocity and commercial treaties. I quote as to Cuban reciprocity:

The total exports of merchandise from the United States to Cuba during—  
 1891 (the year before the agreement).....\$12,224,888  
 1892.....17,953,570  
 1893.....24,157,638  
 1894.....20,125,321  
 1895 (after repeal of reciprocity).....12,887,661

As suggested by one of the millers who answered the inquiries of the committee:

"It is well to consider the growth of our flour trade with Cuba and Porto Rico during the continuance of this agreement, the exports of which to Cuba for the years named having been as follows:

	Barrels.
1891.....	114,441
1892.....	396,175
1893.....	616,406
1894.....	602,248

"Which shows a growth of more than 490 per cent, while our export flour to Cuba for the year ending June 30, 1895, the year after the annulment of our reciprocity treaty, fell off to 379,836 barrels, a loss of more than 42 per cent. This increase of flour trade with Cuba was not enjoyed by any other countries, as the exports of flour to Habana, the metropolis of that island, from Europe fell from 83,519 bags during the months of January, February, March, and April in 1891 to 4,238 bags during the same months in 1892. As I understand it, these same bags are figured at 140 pounds each.

"Under this arrangement similar advancements in our flour trade with Porto Rico were achieved, having been as follows:

	Barrels.
1891.....	127,933
1892.....	162,147
1893.....	200,053
1894.....	200,813

"Which shows a gain of about 60 per cent, while our flour export to Porto Rico for the year ending June 30, 1895, fell to 118,617 barrels, or a loss of about 40 per cent."

The committee says:

The most striking statement we have recorded on this subject is from the Louisville and Nashville Railroad Company, as follows:

"Our records show that, from the establishment of our line of steamers, December, 1893, from Pensacola, Fla., to Habana, Cuba, until the withdrawal of the reciprocity relations with Cuba, August, 1894, we handled from St. Louis as follows:

	Tons.
Flour (177,334 sacks).....	17,733
Corn (218,787 sacks).....	24,066
Oats (12,498 sacks).....	1,000
Bran (7,231 sacks).....	578
Hay (14,909 bales).....	800

Total (20 months).....44,177

"Since that time to date we have handled:

Flour (43,761 sacks).....	4,376
Bran (4,894 sacks).....	391
Corn (4,828 sacks).....	531
Hay (9,344 bales).....	224

Total (19 months).....5,532

The manager of the New York and Cuba Mail Steamship Company, New York City, writes to the committee as follows:

"With the abrogation of the reciprocity treaty between the United States and Cuba, imports from this country have been made subject to the highest rates of duty. This has taken away our trade in railroad iron, cars, locomotives, machinery, etc., and has almost killed the trade in flour, provisions, and produce.

"The reduction of duties on provisions, cereals, and produce would restore the trade to the United States. In flour alone our trade would increase 500 per cent. On other products the volume of traffic would be many times greater than it now is. The volume of business was more than doubled under reciprocity arrangements. The Statistical Bureau of the Treasury Department will confirm this statement, and also demonstrate how the business has since fallen off, but it can not show to what extent our trade with Cuba would have increased had the influence of reciprocity continued a few years longer. The reciprocity enabled us to double our tonnage-carrying capacity to Cuba, and yet carry full cargoes. Its abrogation left us with the increased tonnage capacity, but with less than half cargoes."

What we have realized by way of reciprocity in the past we may reasonably expect to realize by way of reciprocity in the future.

The total imports into Cuba from the United States has been steadily falling. In 1899 Cuba imported goods from the United States valued at \$29,580,657, not including coin, and from other countries \$36,728,028. In 1900 she imported from the United States \$29,225,123, and from other countries \$37,239,344; while in 1901 she imported from the United States only \$28,017,820, and from other countries \$38,554,982.

The object of this bill is to secure to the producers of the United States the market for \$38,554,982 of articles now purchased elsewhere.

As almost all of the needs of Cuba can be supplied by the industry of this country, a sufficient reduction of tariff duties in our favor will permit us to monopolize the Cuban market.

During the past year the United States sold Cuba only \$3,702 of rice, while she bought from other countries \$3,332,019; the United States sold her only \$447,501 of cotton goods, while other countries sold her \$5,637,126; the United States sold her \$879,180 of shoes, and other countries \$3,041,087; the United States sold her only \$1,260,179 of cattle, while other countries sold her \$6,091,688; and these figures apply to a year when Cuba was far from prosperous. If we permit her to become prosperous her imports of \$60,000,000 will double, and with a sufficient reduction of her rates of duty we will derive the direct benefit of her prosperity.

If I have succeeded at all in the views that I have endeavored to present, I have made it plain that the pending measure is a



measure both of honor and of profit, a measure deserving of support in the domain of morals and in the domain of business.

The gentleman from Minnesota has made a suggestion that ought to be noticed. He calls for the repeal of the differential, the duty on refined sugar.

In that he does himself an injustice. He announces himself a protectionist, and in the same breath he calls for Democratic support of an amendment to strike down protection. In other words, the banner that he uplifts bears the legend, "for sugar refined from beets, protection; for sugar refined from cane, free trade." He is inconsistent. He would turn over to England and the Continent the refining of raw sugars. But beet sugars are refined sugars, and he would bring into competition with them the refined sugars of the underpaid wage-earners of foreign countries. Why would he do this?

In answer to a popular prejudice, alarmed by the cry of a trust. But the American Sugar Refining Company, call it what you may, is an American company. The capital invested is American capital, the men employed are American wage-earners, paid American wages in good American dollars. The stockholders of the American Sugar Refining Company are numbered by the thousands. They are most of them plain people like the gentleman himself and myself; they represent estates, widows, orphans, investors dependent upon their investments for their sustenance. His appeal is not an appeal to reason, but an appeal to unreasoning prejudice. He will, himself, upon calm deliberation, think better of it and act, I am sure, like a wise American legislator. As for me, if I am to have refined sugar from a trust, then I want it from an American trust and not from a European trust. [Applause.]

In conclusion, Mr. Chairman, it is said that we have done great things for Cuba. Yes; so we have. We have driven the tyrant from her shores, we have fed her hungry, restored to life her starving, kindled anew in her breast the fires of hope and human ambition. We have scoured her cities, taught her the religion of cleanliness, driven out disease, multiplied schools, founded hospitals, pointed the way to progress, made life a joy under her blue skies and in her balmy air. We have established law and order and introduced her to the enjoyment of the principles of Saxon liberty. We have shown her as orderly and brave an army as ever constituted garrison; as courteous, but firm and able, a general as ever served in camp or presided in council.

When the historian of the future shall come to record the beginnings of Cuban independence, I venture the prophecy that he will have no more worthy page than that devoted to Gen. Leonard Wood and his services in preparing Cuba for self-government. [Loud applause.]

We have shown Cuba the way in which she ought to walk, and we must not desert her now. Our task is not yet fully accomplished. Without even the suspicion of harm to ourselves we can give her I will not say generous, but just aid, and gloriously fulfill the mission on which unselfishly we entered in a war for humanity by adding her star to the constellation of the nations. [Loud applause on the Republican side.]

The CHAIRMAN. A few minutes still remain. If there be no objection, the Clerk will now proceed with the reading of the bill. The Chair hears no objection, and the Clerk will proceed.

The bill was read, as follows:

A bill (H. R. 12765) to provide for reciprocal trade relations with Cuba.

*Be it enacted, etc.,* That for the purpose of securing reciprocal trade relations with Cuba, the President is hereby authorized, as soon as may be after the establishment of an independent government in Cuba and the enactment by said government of immigration, exclusion, and contract-labor laws as fully restrictive of immigration as the laws of the United States, to enter into negotiations with said government with a view to the arrangement of a commercial agreement in which reciprocal and equivalent concessions may be secured in favor of the products and manufactures of the United States by rates of duty which shall be less by an amount equivalent to at least 20 per cent ad valorem upon such products and manufactures than the rates imposed upon the like articles when imported into Cuba from the most favored of other countries, and which shall not be greater than the rates imposed by the United States upon the like articles imported from Cuba; and whenever the government of Cuba shall enact such immigration, exclusion, and contract-labor laws, and shall enter into such commercial agreement with the United States, and shall make such concessions in favor of the products and manufactures thereof as aforesaid, and which agreement, in the judgment of the President, shall be reciprocal and equivalent, he shall be authorized to proclaim such facts both as to the enactment of such immigration, exclusion, and contract-labor laws and the making of such agreement; and thereafter until the 1st day of December, 1903, the imposition of the duties now imposed by law on all articles imported from Cuba, the products thereof, into the United States shall be suspended, and in lieu thereof there shall be levied, collected, and paid upon all such articles imported from Cuba 80 per cent of the rate of duty now levied upon like articles imported from foreign countries. The President shall have power, and it shall be his duty, whenever he shall be satisfied that either such immigration, exclusion, or contract-labor laws or such agreement mentioned in this act are not being fully executed by the government of Cuba, to notify such government thereof, and thereafter there shall be levied, collected, and paid upon all articles imported from Cuba the full rate of duty provided by law upon articles imported from foreign countries.

The committee amendments were read as follows:

On page 1, line 7, strike out the word "and." In same line, after the word "exclusion," insert the words "and contract labor."

On page 2, line 7, strike out the word "and." In same line, after the word "exclusion," insert the words "and contract labor."

On page 2, line 13, strike out the word "and."

On page 2, line 14, insert the words "and contract labor."

On page 2, line 24, strike out the word "or." In same line, after the word "exclusion," insert the words "or contract labor."

Mr. PAYNE. Mr. Chairman, I ask that the vote be taken on all the committee amendments in gross.

The CHAIRMAN. Is a separate vote demanded on the committee amendments? If not, the Chair will submit them in gross.

A separate vote not being demanded, the question was taken on the amendments in gross, and they were agreed to.

Mr. TAWNEY, Mr. MORRIS, and Mr. CORLISS addressed the Chair.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. TAWNEY].

Mr. TAWNEY. Mr. Chairman, I yield to my colleague [Mr. MORRIS].

Mr. MORRIS. I offer the following amendment.

The Clerk read as follows:

Insert after "countries," line 22, page 2, the following:

"And upon the making of said agreement, and the issuance of said proclamation, and while said agreement shall remain in force, there shall be levied, collected, and paid, in lieu of the duties thereon now provided by law on all sugars above No. 16 Dutch standard in color, and on all sugar which has gone through a process of refining, imported into the United States, 1 cent and eight hundred and twenty-five one-thousandths of 1 cent per pound."

Mr. PAYNE. Mr. Chairman, I make the point of order that that amendment is not germane to the bill. This bill purports and does reduce the duty on Cuban products imported into the United States.

Mr. RICHARDSON of Tennessee. Mr. Chairman, I ask for order and ask the gentleman to speak loud enough for us to hear.

The CHAIRMAN. The committee will be in order, and gentlemen will suspend other business.

Mr. PAYNE. This bill has for its object and purpose the reducing of duties on imports on the products of Cuba and Cuba alone 20 per cent from the Dingley rates, upon the President having made a reciprocal trade arrangement with Cuba, and upon their complying with other conditions precedent. These rates are to be reduced and the reduction is to obtain only while the Cuban government shall enforce the laws to be enacted and shall carry out their reciprocal agreement. It does not propose to interfere with the duty upon any article produced in any other country of the world. It does not in any manner propose any general taxation, any general revenue law. This amendment introduces a new subject into the bill. This amendment proposes to take off a certain portion of the duty upon refined sugar, and the duty on the refined sugar received from any other country than Cuba as well as from Cuba.

Now, Mr. Chairman, it would seem after that statement of the bill and statement of the amendment that it was only necessary to read the rule in reference to an amendment being germane:

And no motion or proposition on the subject different from that under consideration shall be admitted under color of amendment.

Here is another subject; here is another proposition differing from that under consideration which is asked to be brought in and to be added to this bill. It is a change of the bill from a reciprocal trade relation with a single country to a general amendment of the tariff laws upon the imports from the world at large.

I am aware, Mr. Chairman, that the decree has gone out from the other side of the House that the rules of the House are to be brushed aside in the interests of what they want in the way of tariff reform and tariff amendment. I am not informed that this side of the House proposes to brush away the rules. True, we have heard declarations against the rules of the House; true, we have heard the gentlemen who have special interests at stake in their districts, about which they have not succeeded in getting legislation, talking against the rules of the House; but when we stop to think that the rules of the House are the combined wisdom and judgment of the Representatives of the people for the last one hundred years, rules representing the wisdom and growth of men like Garfield, Blaine, Blackburn, Mr. Carlisle, and Mr. Crisp, of Reed, and of Dingley, when we consider that these rules are the outgrowth of the best judgment of the best men and representatives of the people who have appeared in the House of Representatives for the last fifty years, they can not be considered as cobwebs to be lightly brushed aside. Every man will, when he comes to decide the question, I trust, decide it upon his conscience and his honor as a judge in this case.

Now, Mr. Chairman, there have been rulings innumerable on this question. One was made by Mr. BURROWS, of Michigan, when he was acting as Chairman of the Committee of the Whole. The House had under consideration a bill relating to the classification of worsted goods as woolen. Under the tariff law woolen bore a higher rate of duty than worsted goods. Worsteds were brought in at a lower rate of duty, and the intent of the tariff law was being evaded, making this difference in classification,

making a difference upon the rate of duty on worsted goods. The object of the bill was to raise the duty upon worsted goods by classifying them as woolen.

Mr. Breckinridge, of Kentucky, offered an amendment providing:

That all wool, hair of the alpaca goat and other like animals, wool on the skin, woolen rags, mungo, waste, and slack shall be admitted when imported free of duty. That on and after the 1st day of October, 1890, in lieu of the duties imposed on the articles hereinafter mentioned, there shall be levied, collected, and paid on woolen and worsted cloths, and all manufactures of wool of every description made wholly or in part of wool, 35 per cent ad valorem.

Mr. Nelson Dingley, jr., of Maine, made the point of order that the amendment related to a subject different from that with which the bill dealt.

The Chairman ruled as follows:

The latter part of clause 7 of Rule XVI provides:

"And no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment."

The subject under consideration in this bill is the classification of worsted cloths as woolen cloths. That is the subject. The proposition of the gentleman from Kentucky is to put wool on the free list as an amendment. It seems to the Chair that that is a different subject. The Chair remembers in the last Congress, when a proposition was made on a bill for the admission of Dakota to amend it by adding the Territory of New Mexico, and the point was made that that was on a subject different from the one under consideration, the then Speaker of the House, Mr. Carlisle, decided that it was a different subject, although relating to the same general subject. The Chair therefore sustains the point of order and rules the amendment out of order.

On a vote by tellers, an appeal having been taken, this decision was sustained—74 yeas to 36 nays.

Mr. Chairman, this is only one of a long series of decisions of a similar kind. The object of the rule has always been observed by the House in this connection—that you can not, under color of amendment, introduce another subject or a different subject into the bill. We have had rulings where the claim of one man was presented and the motion was made to add the claim of another person, that that was not germane. We have had cases where the salaries of a certain class of officers—judges of court—were the subject of the bill, and it was held that you could not add the salary for marshals and other officers of the court. And so on in innumerable decisions.

This case decided by the gentleman from Michigan [Mr. BURROWS] seems to have covered the point completely. I am aware, Mr. Chairman, that there is a decision on which some gentlemen place reliance, made in 1870. I want to call attention to the fact that every one of these other decisions, which I might quote by the hundred, were made since 1870, and these hold that they were not in contravention of the decision made in 1870 and that the rule plainly requires that the Chair and the House should hold that such an amendment was not germane.

On June 3, 1870, the House resumed the consideration of the bill of the House (H. R. 2045) to reduce the internal taxes, and for other purposes, the pending question being on the forty-fifth section of the same.

Mr. James Brooks, of New York, proposed to submit the following amendment:

Add to the section the following proviso:

"Provided further, That on and after the 1st day of January next the duties levied upon the articles hereafter named imported from foreign countries shall be reduced as follows:

"On sirup of cane juice, or melado, or molasses from sugar cane, and on all sugars, and on salt, 33 per cent.

"On coffee and on tea, 20 per cent; and on pig and scrap iron, 22 per cent.

"And all imported goods, wares, and merchandise here described which may be in the public stores or bonded warehouses on the day of the year this act shall take effect shall be subjected to no other duty upon the entry thereof for consumption than if the same were imported, respectively, after that date."

The bill in that case was being discussed in the House as in Committee of the Whole.

The Speaker [Mr. Blaine] stated that the House had given unanimous consent for the consideration of the bill in the House; that would cover all amendments considered germane, and hence the only question at issue is whether the amendment be germane. In his opinion the amendment was germane from the very necessities of the case, for it might be of the utmost importance in determining the internal revenues to be derived from any article, to determine also what the external revenues shall be from the same article. He would, however, submit the question to the whole House.

Which he did; and it was decided in the affirmative, or that the amendment was germane and was in order.

But there was before the House at that time a general internal-revenue bill, a bill applying to all articles, a bill relating to the taxation of various articles of internal revenue; and Mr. Blaine suggested that it might be of the utmost importance where certain articles were to be subjected to an internal-revenue tax to provide also for an external-revenue tax on the same articles—that is, for custom duties to be levied upon those articles—a long way from deciding that in a case like this, where we have simply a proposition for "reciprocal trade relations between the United States and the island of Cuba," we can go into a general amendment of the tariff (for that is what this proposition means) upon such a bill.

Mr. Chairman, if you hold this amendment in order you simply wipe out the last clause of paragraph 7 of Rule XVI of the House of Representatives. You simply repeal a rule of the House. You "wipe it away," in the choice language of the gentleman from Missouri, as empty cobwebs, as a "weak or trivial rule;" and the House enters upon the execution of its purpose to undertake to review and pass upon and amend the tariff upon a bill providing simply for reciprocal trade relations. When you have done that you have, in effect, decided that upon a proposition brought here relating to one State an amendment relating to another State is germane; upon a proposition providing for the payment of one claim, an amendment to provide for another claim is germane; and so the hundreds of decisions that have been made under this very section of the rule are overturned. You simply wipe out the rule, and you might as well abolish it.

Mr. LITTLEFIELD. Mr. Chairman, finding myself unable to agree with the conclusions of the gentleman from New York [Mr. PAYNE], I feel bound to give the committee the reasons which, in my mind, establish the proposition that the pending amendment is germane to this bill. I agree entirely with the gentleman's suggestion that the rules of this House are made to govern its proceedings. I agree that unless this amendment is germane the Chair should rule it out and that the members of the committee on either side should sustain that ruling. Unless I can satisfy the committee and give reasons that should satisfy the Chair that this amendment, within well-recognized parliamentary rules, is germane, it should not be sustained.

Now, one moment before I enter upon the discussion of that question, because when I reach it I shall confine myself entirely and closely to it. I notice that the gentleman from New York says that a decree has gone forth from the other side that the rules of this House should be ruthlessly stricken down. I have sat here during the session this afternoon; I have listened to the speech of the gentleman from Iowa; I have listened to the speeches of two other distinguished Republicans upon this floor; but there is another insinuation which has been made on this floor, and which appears in the public prints, which, I regret to say, has not been repelled as it ought to be repelled.

If the public prints correctly report the proceedings of the Democratic caucus, referred to by the distinguished gentleman from Iowa, the charge has been made that there have been approaches from this side of the House to enter into an unholy, ungodly, and infamous alliance to sacrifice human rights, in order to do—what? To preserve the prestige of the leaders of the House or, less justifiably than that, the profits of an aggregation of capital engaged in refining sugar. I would like to see that insinuation repelled from this side of the House. Can it be that if it is received in silence it is assented to as correct? I trust not.

Mr. GROSVENOR. Will the gentleman make the denial?

Mr. LITTLEFIELD. So far as I am concerned, absolutely and flatly.

Mr. GROSVENOR. Who has been charged with making any such "alliance?"

Mr. LITTLEFIELD. The gentleman from Alabama [Mr. UNDERWOOD] stated in the caucus that he had been approached.

Mr. GROSVENOR. By whom?

Mr. LITTLEFIELD. He did not say by whom.

Mr. GROSVENOR. Then, while the charge stands in that anonymous condition will the gentleman from Maine give it weight?

Mr. LITTLEFIELD. Yes; I think it is incumbent upon this side that it should be repelled.

A MEMBER. Let him name his man.

Mr. LITTLEFIELD. I did not put any credence in it.

Mr. GROSVENOR. Whom do you want to have repel it?

Mr. LITTLEFIELD. I would like to hear the chairman of the Ways and Means Committee [Mr. PAYNE], for the Republican majority, repel it.

Mr. UNDERWOOD. Mr. Chairman, I just want to say one word.

The CHAIRMAN. Does the gentleman yield?

Mr. LITTLEFIELD. Certainly.

Mr. UNDERWOOD. I deny that I have made any such charge in the Democratic caucus or elsewhere, or ever made any such charge. [Applause and laughter.]

Mr. GROSVENOR. Now, Mr. Chairman, that was a good specimen of the usual assaults upon Republicans. [Laughter.]

Mr. LITTLEFIELD. Well, I have succeeded, then, in relieving the Republican majority of the infamous charge. [Applause.] Mr. Chairman, I do not propose to join in any propaganda that may proceed from the other side to break down the rules of this House. I wish to state now, on the threshold of this discussion, that if this amendment is germane, and if it be so ruled by the Chair, and if the members of this committee, in whom is vested the power to make and interpret their rules, hold it to be germane and it becomes a part of this bill, that it does not open this bill to



any other tariff amendment. I think that proposition is unanswerable. I do not believe that this bill is subject to general revenue amendments.

The Speaker of the House, in holding that this was a privileged measure, held that it was a bill affecting the revenue; but I think it is necessary to go further than to hold that it is a bill affecting the revenue, in order to demonstrate that this amendment is germane. It is a bill affecting the revenue, and this amendment also relates to and affects revenue, but it is a revenue measure confined geographically to Cuba, and this amendment operates universally and generally throughout the whole country, and with reference to every country from which sugar is imported. The bill is special in its application.

The amendment is general in its application, and for that reason, if we stop there, in my opinion, the amendment is not germane. Now, with reference to this particular amendment repealing the differential on sugar, I submit with great confidence that there is not to be found in the journals and records of this House or in the precedents compiled by Mr. Hinds a single instance that furnishes upon all fours a precedent for a ruling either way. It is true, as was well stated by the gentleman from New York [Mr. PAYNE], there are many rulings, construing this rule, which reads:

No motion or proposition on a subject different from that under consideration shall be adopted under color of amendment.

But there is no ruling and there is no case that stands on all fours with the proposition now before the committee. I defy the production by any man of any precedent that stands upon all fours with the pending proposition.

That many rulings have been made construing this rule, holding that particular amendments as applied to particular bills were not germane, is no doubt true; but these rulings are of no value here, except as they may illustrate by practical application the operation of the general principle of germaneness. The collation of a heterogeneous, miscellaneous lot of citations and precedents undoubtedly indicates a commendable amount of physical exertion. The patchwork result does not necessarily involve the exercise of reason or throw any light upon a new situation. Because any of these amendments were held not germane the Chair is not justified in so holding in this case, unless it can be made to appear that there is a general and well-defined principle established by these rulings, the application of which excludes this amendment. In other words, the decision must proceed upon reason, not upon authority, for in the sense of controlling authority in point there is none.

The rule as we have seen prohibits an amendment "on a subject different from that under consideration." Clearly the amendment need not be identical with the subject under consideration. It is enough if it is "on" or relating to the same "subject." It must fairly relate to and be connected with the "subject." So long as it relates to and is connected with the same subject it is not "on a subject different from that under consideration." The Century defines germane as "nearly related; closely akin; closely connected; germane." The Standard as "(1) near akin, germane; (2) hence in close relationship, appropriate, relevant, pertinent."

The question here is whether the amendment is "nearly related, closely connected," and in "close relationship" with, "appropriate," or "closely akin" to the subject-matter of this bill. I think it can be made to appear that it is necessarily involved in the subject-matter of the bill from a legislative and economic standpoint.

The differential in the sugar tariff is peculiar to that item in the schedule. There is no other item in the whole tariff schedule like it. There is no item to which the term "differential" applies, except to the item of sugar. The sugar item is found in section 209, of the "Tariffs of 1894 and 1897." Perhaps I should go further and say here with reference to the general question of germaneness that this amendment applies to the same subject-matter as the bill, but that is not sufficient; it is coterminous with the bill, that is to say, this amendment comes into existence with this bill; it goes out of existence with the bill, but that is not enough.

That is not sufficient. It applies to the same subject. It lives and it dies with the bill, but that does not go far enough in my judgment. Now, I submit this: That this differential stands upon an entirely distinct and different footing as compared with every other tariff schedule. Legislatively and grammatically the differential, which simply means the difference between the tariff on unrefined sugar and the tariff upon refined sugar, are identical and the same. They are both found in the same section. I will read it, so that we will see exactly where it comes from:

Sugars not above No. 16 Dutch standard in color, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, ninety-five one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscope test thirty-five one-thousandths of 1 cent per pound additional, and fractions of a degree in proportion.

That is a tariff upon what is called raw or unrefined sugar, and, here I should stop to make this suggestion, that raw sugar is not

mentioned as "raw" in this law. It is not what we ordinarily call a raw material, because cane and beet are the raw materials, out of which sugar is made. Unrefined sugar is a manufactured product as well as is refined sugar. I have just read, now, the tariff upon unrefined sugar. Now comes the balance of the section, separated only by a semicolon:

and on sugar above No. 16, Dutch standard in color, and on all sugar which has gone through a process of refining, 1 cent and ninety-five one-hundredths of 1 cent per pound; molasses testing above 40° and not above 56°, 3 cents per gallon.

The balance of the section has no reference whatever to the proposition. So, that, to begin with, the two elements which constitute the differential are legislatively one. They are contained in the same section; they are grammatically one. They are connected together, the tariff upon the refined and the tariff upon the unrefined. But that is not sufficient; that is not enough to show that this amendment is germane. But so far—and I call attention to it only for that purpose—thus far in the argument we have an identity of subject, an identity of existence, an identity of legislative unity, and an identity of grammatical unity.

But I am obliged to go further even than that. And let me go a little further right here to show what I have suggested, that it is only in this section 209 that this peculiar differential proposition can be found in the whole range of tariff legislation. Section 210, for instance, imposes a tariff upon maple sugar without any reference to unrefined sugar. Section 211 imposes a tariff upon saccharine, without any reference whatever to unrefined sugar. Section 212 imposes a tariff upon sugar candy and all confectionery, without any reference whatever to unrefined sugar. Now, let me analyze these two parts of one proposition found in section 209, resulting in the differential.

The tariff on sugar above No. 16 Dutch standard in color, and on all which has gone through a process of refining, is \$1.95 on a hundred pounds, or 1.95 cents on a pound. The tariff on unrefined sugar not above 75°, polariscope test, is 95 cents per hundred pounds, or 0.95 cent per pound. Then there is 0.035 of a cent for every additional degree up to 100°, polariscope test, or up to the pure sugar, and that would give us 0.857 in addition. Add that to the 0.95 and we have 1.825 cents as the tariff on pure sugar. The difference between the tariff on unrefined sugar and the tariff on refined sugar or above No. 16 Dutch standard in color, taking the pure as a test, is 0.125 of a cent, or 12½ cents per hundred pounds.

That is the differential. If you take 96°, polariscope test, then you get 1.685, the figures that we have heard throughout this debate ad libitum. That is the largest proportion that is imported into the country, and therefore that is taken into account largely in making the computation.

What is the purpose of the differential? What purpose does it serve, and what is the intention of the law? The purpose of the differential is to give to the refiner a tariff that protects him in the exercise of his business and his industry. It is more than the tariff on unrefined, because he is supposed to pay the tariff on the unrefined before he gets the material that he refines.

Now, mark another distinction between this differential tariff and this particular section of the tariff law, and that is this: That there is no change in the substance when there is a change in the tariff imposed, because sugar that tests 96° and sugar that tests 75 degrees polariscope is sugar, and sugar that is refined is still sugar. Sugar below No. 16, Dutch standard, in color is just as much sugar as is that which is above that standard in color. It is the same subject and the same material, unchanged in kind, character, structure, or identity; simply a change in quality.

Let me go a little further. What is the purpose of the differential? It is to give to the unrefined-sugar manufacturer and to the refined-sugar manufacturer each his fair and equal proportion of protection. I do not know whether the existing tariff is based upon scientific principles or not. I do not know whether the protection is too large for the refiner or too small for the refiner. I do not know whether the manufacturer of the refined gets more relative protection than does the manufacturer of the unrefined. For the purposes of this argument we can assume that it is based upon economic and scientific principles, and that the one is fairly proportioned to the other. If so, it produces in connection with this schedule a proposition which stands upon the unrefined-sugar tariff upon one hand and upon the refined-sugar tariff upon the other, and when that proposition is complete it produces a legislative equilibrium between the two tariffs.

Now I come to my proposition. Any legislation that tends to disturb the tariff equilibrium in connection with this sugar schedule, by disturbing the differential or otherwise, destroys the equilibrium and makes the consideration of the other branch of the proposition absolutely necessary in order to preserve and maintain the equilibrium. [Applause.] Unrefined sugar has one tariff, refined sugar another, to-day. If you shorten or diminish the unrefined-sugar tariff, you shorten one of the legs upon which the proposition stands; and if you increase it, you lengthen the leg

upon which the proposition stands, and either process destroys alike the legislative equilibrium which ought to and economically must exist between the two tariffs.

If this bill in any of its phases disturbs or makes it possible to disturb either branch of this proposition, and thus destroys or makes it possible to destroy the legislative equilibrium that ought to exist, then of necessity this amendment is competent and germane—not only is closely connected with, relates to, but is necessarily involved in the subject-matter of the bill—because otherwise you would have legislation that would result in an absence of the equilibrium that we are bound to maintain between these two tariffs. It would be a violation of economic principles.

Let me illustrate. Suppose that all of the unrefined sugar that is imported into this country came from Cuba. Is it not clear that any disturbance of the tariff on unrefined sugar would destroy the existing equilibrium, which must economically and properly be maintained, would then render proper and necessary an amendment to the tariff on refined sugar in order to preserve that equilibrium? If all the unrefined sugar came from Cuba it would make no kind of difference whether it came under reciprocal trade arrangements with Cuba or otherwise.

The disturbance of that equilibrium would be precisely the same. When you reduce the tariff or repeal it altogether, in case the whole product came from Cuba, then you would have an absolute economic destruction of the equilibrium and enlarge enormously the margin within which the American sugar refiner can pile up his profits at the expense of the American people, because he could protect himself in refining and manufacturing against all outside competition. Therefore his protection would be maintained upon his leg of the proposition that maintains and secures the equilibrium. If you do that by reducing it by a reduction of 50 per cent, you would disturb it precisely by 50 per cent. A reduction of 20 per cent would not be so much, but the same in degree.

Well, now, we do not receive it all for Cuba. What then? We not only receive sugar from Cuba, but from all countries of the world. Last year, ending June 30, 1901, from all countries we received 3,975,500,840 pounds; from Cuba we received 25 per cent, or 1,099,400,303 pounds. But who is there that will say that a reduction on the amount of 25 per cent does not pro tanto, pro rata, disturb the existing equilibrium? If it does, then this amendment is necessarily germane. Why? The tariff upon refined should be cut down pro rata, so as to make the two tariffs, in view of that importation, stand upon a fairly equal ratable footing and preserve a continuing equilibrium.

I come to the proposition that is now made. It may be said, and it can properly be said, and I desire to be perfectly frank in this argument, that this question is absolute *res integra* so far as the construction of the rules of this House is concerned. It is a case of entirely new impression. It is important to the Chair, no matter whether this decision is arrived at under pressure or otherwise, it is important when he interprets the rules of this House that it be done in accordance with the fundamental principles of parliamentary law.

It may be said that the price to the refiner will not be reduced by this pending bill, and that is a question that has been discussed with great zeal, with great acrimony, and a great deal of ability on the floor of the House. I do not propose to enter into a discussion of that vexed question.

In my judgment, so far as the germaneness of this amendment is concerned, it is not necessary for me to establish the proposition legislatively by the terms of the bill that necessarily the price to the refiner will be reduced in order to demonstrate that this amendment is germane.

I have no doubt, so far as I am personally concerned, that the American sugar refiners are taking a very consuming interest in forwarding the propaganda behind this legislation. I have not the slightest doubt that in every legitimate, proper, and rightful way they are expending their money in the interest of this propaganda. I do not in the least intend to intimate, and I do not believe, that in any improper manner or in any unworthy way they are expending a single copper.

I have not the slightest doubt but what they are expending it in a legitimate way; and there are many legitimate ways. Literature may be printed, and published, and circulated, and plate material can be prepared for newspapers throughout the country, and speeches can be printed in newspapers at advertising rates at so much a line legitimately, rightfully, and properly. I do not think they would expend their money, if they did not expect to profit thereby, by a reduction of the price. I have no doubt their expectations will be realized, because the men engaged in sugar refining are wiser in their generation than the children of light. [Laughter.] But I do not have occasion to go into that affair.

Let me go back to my illustration of a general tariff bill reducing the tariff on unrefined sugar without undertaking to affect refined. Everybody can see that would disturb the equilibrium.

But it would not of itself—that is, the terms of the bill would not—compel the reduction of price to the refiners. It would make it probable that the price would be reduced to the refiner. For instance, if the tariff upon raw sugar was reduced 5 per cent, the refiner might not get any benefit in the reduction of price, although the margin of profit would thereby be increased and widened.

If reduced 20 per cent he might not get any benefit of the reduction in price, but when you reduce it 40 or 75 per cent the probability would be so great that it would practically amount to an absolute demonstration that he would receive the benefit in a reduction of price. What does that result in? Simply this: That it is not necessary to demonstrate the germaneness of the proposition that a reduction in price of the American Sugar Refinery would be compelled by the terms of the bill, would be necessarily deducible therefrom. So we have this proposition, that if the pending measure has made it possible or probable that the price would be reduced to the sugar refiner it would disturb the equilibrium and make it necessary to revise the other leg upon which the proposition stands in order to preserve the equilibrium.

Now, coming to this proposition, who is there that will say that under this pending bill, standing as it does now, it is not possible and even probable for the price to be reduced to the refiner? True, the gentleman from Pennsylvania [Mr. DALZELL] and the gentleman from New York [Mr. PAYNE] say that they do not think it will be reduced. Other gentlemen say that the sugar refiner will get it all. Let me read a moment from the statement of the gentleman from New York bearing upon this proposition. I do this, Mr. Chairman, to demonstrate the germaneness of this proposition and to show that it ought to be ruled in by the Chair. Here is what the gentleman from New York [Mr. PAYNE] said:

We are told that the sugar trust is going to get the advantage of all that we take off of sugar.

That is his cautious statement necessarily admitting that the sugar trust would get the benefit of some of it. If that be true, then this amendment is germane.

Concluding the discussion, the gentleman said:

We did not put a reduction of 50 per cent on or 100 per cent, because we did not wish to injure anybody in the first place, and we knew when we made it only 20 per cent the planter would have a right to demand and receive the full benefit.

Is that equivalent to an assertion that it would give the planter the full benefit? That the bill secured to him the full benefit? Not by any means. It simply says it gives the planter a right to demand and receive it, but it did not give him the power to enforce that demand. So, on the other hand, the refiner has an equal right to demand and receive the benefit of this reduction. Which will be successful the bill does not undertake to determine. That the refiner has the advantage in such a contest is clear. If that possibility inheres in this bill, if by the action of economic laws, operating in connection with the action of any combination or interest affecting this business, that result is possible or probable, then, Mr. Chairman, I submit that this amendment is not only clearly and palpably germane, but absolutely necessary in order to preserve the equilibrium between these two tariffs that is thus found to be disturbed. With the bane we must provide the antidote. I submit this proposition, Mr. Chairman, upon these considerations.

Mr. TAYLER of Ohio. Will the gentleman allow me a moment?

Mr. LITTLEFIELD. Yes, sir.

Mr. TAYLER of Ohio. The gentleman knows that I am in sympathy with his general proposition respecting the merits of the bill itself. I wish to ask a question for information. Assuming that this bill does disturb the economic equilibrium or balance of the sugar tariff schedule, does the gentleman think that there is any legislative necessity for new legislation maintaining the old economic balance that existed in the previous bill? In other words, so far as the point of order is concerned and so far as the germaneness of any proposed amendment goes, is not this House absolutely empowered to destroy, if it so desires, the economic balance, as my friend terms it, by new legislation? Is it not rather a question of political expediency than of legislative necessity or propriety?

Mr. LITTLEFIELD. Undoubtedly we have that power; but that is not the question. That does not determine the germaneness of the proposition. Undoubtedly the committee has power to refuse to adopt the amendment. The only question pending here is whether these considerations make it necessary, in the language of Mr. Blaine, which was quoted with approval by my friend from New York—and I will read it—the only question is whether this amendment or whether this bill makes it necessary (quoting the language of Mr. Blaine) “that both these propositions be considered together, because the one might obviously affect and determine the other”—whether they are both appropriate to or pertinent to the same subject, whether one, or general principles, is directly and fairly involved in the other.



It is not a question as to whether the committee ought or ought not to adopt this amendment, but whether at this time the rule gives them the right to act upon the amendment.

Mr. PAYNE. Does the gentleman say that I quoted the statement of Mr. Blaine with approval?

Mr. LITTLEFIELD. The gentleman referred to his language with approval.

Mr. PAYNE. Did I not say that the contrary had been held by a number of other distinguished occupants of the chair?

Mr. LITTLEFIELD. I do not think that that decision is a precedent for this amendment—not by any means. I do not think it sustains it. The principle stated sustains it.

Mr. PAYNE. I would like to ask the gentleman another question.

Mr. LITTLEFIELD. I did understand the gentleman from New York to refer with approval to the language used by Mr. Blaine. Of course if he did not do that—

Mr. PAYNE. I did not intend to do it.

Mr. LITTLEFIELD. I do not wish to misrepresent the gentleman.

Mr. PAYNE. I would like to ask the gentleman another question as to this "equilibrium."

Mr. LITTLEFIELD. Yes.

Mr. PAYNE. The case I cited here—

Mr. LITTLEFIELD. The worsteds case?

Mr. PAYNE. The worsteds case. That was a case where the "equilibrium" was disturbed by classing worsteds as woollens, because the tariff was higher on woollens than it was, under the interpretation of the court, on worsteds. Now, the classification of worsteds as woollens disturbed the gentleman's "equilibrium."

Mr. LITTLEFIELD. Not at all.

Mr. PAYNE. If the gentleman was consistent, it would have disturbed his "equilibrium."

Mr. LITTLEFIELD. That depends upon the point of view. The "equilibrium" of "the gentleman from Maine" is not so easily disturbed.

Mr. PAYNE. We will not play upon words, because the gentleman is an adept at that. The classification to which I have referred disturbs the "equilibrium" in that schedule. Now, the amendment offered by Mr. Breckinridge was designed to restore the "equilibrium" of that schedule by proposing a different tariff on wool, mungo, and the like.

Mr. LITTLEFIELD. Yes, sir.

Mr. PAYNE. Still, notwithstanding that, the Chairman of the Committee of the Whole, with the approval of the House, ruled that that amendment was not in order.

Mr. LITTLEFIELD. Yes.

Mr. PAYNE. The doctrine of "equilibrium" does not seem to have been invented at that time.

Mr. LITTLEFIELD. The doctrine of "equilibrium" had no earthly relation to the case you cite.

Mr. PAYNE. I do not think it had, nor with this either.

Mr. LITTLEFIELD. You say that is a differential tariff on wool. I never heard of that before.

Mr. PAYNE. The gentleman is playing on words?

Mr. LITTLEFIELD. No.

Mr. PAYNE. We have a tariff on iron ore, and we have a tariff on steel. The difference is the differential between the two. There is always a differential where there is a higher degree of manufacture made out of the raw material. So we had a tariff on wool, and we had a differential on woolen goods. In the tariff on wool a duty was levied at so much a pound. When we came to put the differential on woolen goods we had first what was the farmer's tariff—the wool tariff—which was so much a pound on the weight of the goods. That was supposed to be and was the equivalent, the scientifically adjusted equivalent, to the tariff on wool. In addition to that, we had a differential; we had a tariff on the manufactured goods, independent and distinct from the other.

Mr. LITTLEFIELD. Of course, if the gentleman uses the term "differential" to mean the distinction between the tariff on a manufactured article that is not the same in kind with the raw material, to be sure it can have that application. But if he can find a single item in the tariff schedule like the item of sugar—an item which, without any change in its character, without any change in its substance, but simply a change in its quality—that has two tariffs predicated thereon, then this argument falls to the ground. No one ever used the term differential in the sense in which it is applied to the sugar schedule in connection with any other article.

A MEMBER. How about cigars and tobacco?

Mr. LITTLEFIELD. That has no application here. I looked that schedule up before I made this argument. That schedule does not sustain the distinction of the gentleman from New York, nor does any other schedule. That there are raw materials upon which a tariff is imposed, and that there are manufactured goods

in part composed of raw material upon which another tariff is imposed, is true. But in every such case there is an entire change of substance and structure, other and different raw materials and elements, all combined with the original raw materials, enter into the product, so that you have an entirely new product, the result of a combination of numerous elements, the relation of all of which to the manufactured product must be considered in reaching the amount of tariff protection required.

A proposition so complex as to make it practically impossible to determine the actual effect upon the ultimate result of a change in the tariff upon one of the raw materials, whereas, in the item of sugar alone there is no change in product, the substance, or character of the thing, only in quality when refined, and when measured by the color standard the element of refining is entirely eliminated. If above No. 16 Dutch standard in color one duty is paid; if the same sugar is below a lower duty is paid. In the case of sugar the two tariffs operate absolutely undisturbed by any foreign considerations or elements. Hence, their operation is certain, definite, and unvarying, and any disturbance of either necessarily produces precisely the same relative result in every case. In this respect there is no parallel item.

I challenge the production of the item. Of course, from the statement made by the gentleman from New York [Mr. PAYNE] in the manner in which he uses the words "differential" he is perfectly correct; there is no doubt about that. There is a distinction between the tariff on a manufactured article and the raw material; that is, it is larger on one than on the other.

Mr. PAYNE. What in the world is refined sugar except the manufactured article from the raw sugar or the raw material?

Mr. LITTLEFIELD. Raw sugar is a manufactured article.

Mr. PAYNE. Pig iron is a manufactured article.

Mr. LONG. And wool.

Mr. LITTLEFIELD. Wool a manufactured article? Not at all.

Mr. PAYNE. Pig iron.

Mr. LITTLEFIELD. Well, is a tariff on jackknives parallel to the tariff upon refined sugar, or the tariff on cutlery or the mainspring of a watch? That is where the gentleman's argument will lead him, to say there is a differential on jackknives or razors as compared with pig iron. I leave the proposition standing on that—by that single schedule—and if any man in this committee can say there is a fair analogy between those two propositions, then he will say that this amendment is not germane, and if he says there is not a fair analogy between those two propositions—jackknives, cutlery, razors, mainsprings, and pig iron and unrefined and refined sugar, above and below No. 16 Dutch standard—when the only change is a change in quality and not in substance or kind, with no disturbing elements at all, then the argument falls to the ground.

If he can see that analogy, then he votes against the amendment. If he can not see it—and I leave it upon that—he votes for it. Now, whether the reduction provided by amendment is too large or too small, whether it produces an equilibrium, from the standpoint of economics, I do not know. That is a matter of no consequence so far as this proposition I am arguing is concerned. This is a question of legal competency. The question of the reduction is for the House. With these suggestions, Mr. Chairman, I submit the question.

Mr. GROW. Mr. Chairman, the bill before us says nothing about sugar. The word is not in it. A gentleman proposes an amendment to the bill, however, regulating the tariff on sugars from any country. If that is in order, then an amendment to regulate the tariff on tobacco coming from any country would be in order, and so on every other article that might be imported into this country. Suppose a bill was before us to erect a monument and appropriating public lands for its construction. Would anyone hold that it would be germane to that bill to bring in a law changing the price of the public lands and for the sale and mode of disposing of them? The object would be to build a monument. The bill, however, would refer to the public lands. A bill can not be amended by something that is not in furtherance of the object of the bill. That is the whole question, it seems to me. How can this amendment possibly be germane? [Applause.]

Mr. RICHARDSON of Tennessee. Mr. Chairman, after the very clear and lucid argument of the gentleman from Maine [Mr. LITTLEFIELD] upon the point of order, it seems to me that it is almost superfluous to undertake to add anything. The proposition is as he has stated it. The point of order is made that the amendment of Mr. MORRIS is not germane to the bill, and the rule is invoked which provides that "no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment." The gentleman from Maine has shown that the subject of the amendment is identical with the subject proposed in the bill. If this be true, it is not easy to improve upon the able argument he has made and make the matter more lucid and clear.

The question may be asked, Mr. Chairman, if we are to be controlled by precedents. The gentleman from New York [Mr. PAYNE], arguing the point of order, referred to the decision made by Mr. Speaker Blaine, which the gentleman from Maine has also cited, and he also refers to one or two other decisions made by gentlemen who were temporarily occupying the chair as chairman of the Committee of the Whole. One of these was the gentleman from Michigan, Mr. BURROWS, when he was a member of this House. Mr. Chairman, it will not be controverted that precedents may be found on both sides of this question. That being true, the question is which precedent will you follow. Now, it seems to me that when you come to look to the precedent you must examine the ground upon which the decision in each case was made. Mr. Speaker Blaine made the decision that the gentleman from Maine has referred to, and stated the grounds of that decision, which I wish here to repeat, in part at least.

Mr. Blaine decided when a bill was pending here fixing the rates of internal taxes that it was in order to offer an amendment for external taxes. Is not that what is done in this case? If a bill providing for the levying of internal taxes can be amended by a bill providing for external or general customs tariff taxes, then this amendment must be germane and in order.

Mr. Blaine held that that was true. He held that such an amendment was germane. Why did he so decide? The gentleman from Maine [Mr. LITTLEFIELD] quoted some of the language of Mr. Speaker Blaine, but you will pardon me, Mr. Chairman, if I read two or three sentences from that decision which he did not read. The bill pending then, as I have stated, was a bill which applied alone to internal taxes. The amendment proposed was one which related to external revenue or taxes. When Mr. Eldridge of Wisconsin made the point of order in that case, Mr. Blaine said that the point presented was one of considerable importance, and he asked the attention of the House to what was involved in it. And I desire to call attention to what is involved in this proposition.

Mr. Speaker Blaine said:

It is whether an amendment relating to taxes usually embraced under the head of the tariff is an amendment germane to an internal-revenue bill. The point is in a certain sense new, for since the revival of internal-revenue taxation, beginning with 1862, the internal-revenue laws have been considered separately from the tariff laws by Congress.

But—

He says—

in the early history of this Government, as gentlemen must be well aware, both species of taxes were considered together.

He says:

In the judgment of the Chair the amendment offered is germane, from the very necessities of the case, for it might be of the utmost importance in determining the internal revenue to be derived from any article, to determine also what the external revenue shall be from the same article. The judgment of the House might, at a very critical time, be needed on both propositions, because the one might obviously affect and determine the other. The Chair, therefore, would regard it as a matter of very great significance and importance if the House should decide that under its rules an internal-revenue tax and an external-revenue tax could not be considered together. The point, however, is one which involves so many grave considerations that the Chair would be very far from desiring to force his judgment on the House.

Then he said, in order that the House might pass upon it, he would submit the question to the body. A little lower down he said:

The Chair had for the moment overlooked another case to which his attention was called by Mr. Schenck.

Mr. Schenck said:

With the permission of the Chair, I would direct attention to the fact that the same objection was made to a provision for amending the tariff on cigars, included in the internal-revenue law of last Congress, and with that provision was ruled to be pertinent to the bill.

Speaker Blaine said that he had overlooked that, and that he was glad to find an additional precedent confirming him in his opinion. He said he would say, further, that he had before him at this moment one of the most important revenue bills ever passed in this country, a bill passed by the First Congress in regard both to the tariff and domestic revenue on distilled spirits, both being considered together in the same bill.

The Chair therefore would say, while repeating that he does not desire to force his opinion on the House, that in his judgment it is entirely germane to amend an internal-revenue bill with an external-revenue bill, and that the two subjects are so connected that it would be a great inconvenience if it should become a settled parliamentary principle that they could not be considered together.

A little lower down he said:

This is a tax bill, and whether the amendment relates to an internal or external tax it is clearly, in the judgment of the Chair, within the power of the House to consider it.

Now, Mr. Chairman, the Speaker of this House, the day we entered upon consideration of the pending bill, held that it was a revenue bill or a bill affecting the revenue. Mr. Blaine said that an external-revenue amendment was germane to a bill providing an internal-revenue tax. Mr. Chairman, for illustration let us suppose that this bill, being a revenue bill, took out of the Treasury \$200,000,000 instead of \$8,000,000, as is argued and as is con-

ceded. When you come to pass a bill which, let us suppose, in order to obtain the trade of Cuba, would take out of our Treasury \$200,000,000 per annum, would it not be monstrous to say that this House could not, as an amendment to the bill, provide in some other way a tax or a tariff that would fill the vacuum in the Treasury made by this \$200,000,000 of lost or surrendered revenue? The fact that this is only \$8,000,000 does not change the principle. It might be \$200,000,000, and if so, it seems to me that it would be unfortunate if the House were to put itself in the position that it could not provide in the same bill, by a germane amendment, that it would make up the \$200,000,000 by levying taxes that were in their nature either internal or external.

But, Mr. Chairman, the gentleman from New York referred to a case which was decided by Mr. BLACKBURN while acting as Speaker pro tempore in this House. In that case, if I remember it correctly, a bill was pending having reference to an entirely internal matter—a tax on "weiss beer"—and to that pending bill a motion was made to fix the tax on salt. One a matter of internal tax and the other a matter of tariff tax. The Chair (Mr. BLACKBURN presiding temporarily when the point of order was made) held that the amendment was in order, or was before the House for consideration, and I think permitted a vote to be taken on it.

But that is not all, Mr. Chairman. During this very session of Congress I have a case in point. We had a bill pending here a few months ago providing a tariff for the Philippine Islands. I ask the attention of the Chair to the ruling of the Speaker of this House on that occasion. The Philippine tariff bill was pending. It was a bill which related alone to the Philippine Islands. The gentleman from New York bases a part of his argument upon the idea that this bill relates to Cuba. The bill to which I refer was a bill relating to the Philippine tariff. Now, while that bill was pending I had the honor to submit the following motion:

I move to recommit the bill to the Committee on Ways and Means with instructions which I send to the desk.

Of course, all gentlemen will understand that a motion to recommit stands exactly as a motion to amend, and is governed by the same rule and the same principles in parliamentary law. The motion to recommit must be upon a matter germane to the pending bill, as an amendment must be. The motion I had the honor to make on the 18th day of December to the Philippine bill is in the following words:

To report a bill reducing the tariff laws and internal-revenue laws now in force in other portions of the United States to a revenue basis and apply the same to all portions of the United States, including the Philippine Islands, to be in effect in said islands until order has been restored there and the Filipinos permitted, with the aid of the United States, to establish a stable and independent government.

The able gentleman from New York, the chairman of the Committee on Ways and Means, had charge of that bill providing for this Philippine tariff. When the motion was made, the permanent Speaker of the House was in the chair. My motion applied the bill to all portions of the United States, and not only to internal but to external taxes. The gentleman did not even make a point of order. I suppose he conceded that it was in order.

Mr. PAYNE. Will the gentleman allow me?

Mr. RICHARDSON of Tennessee. Well, yes.

Mr. PAYNE. Did I not move the previous question on your motion then?

Mr. RICHARDSON of Tennessee. You did, immediately.

Mr. PAYNE. Was it not the very easiest way to get rid of any other motion to recommit? And being so easy a proposition I took advantage of it.

Mr. RICHARDSON of Tennessee. Did not your demand for the previous question admit—

Mr. PAYNE. The gentleman knows it does not.

Mr. RICHARDSON of Tennessee. Do you not think that the demand for the previous question admitted that my motion was in order?

Mr. PAYNE. Why, certainly not; and the gentleman knows that.

Mr. RICHARDSON of Tennessee. I said the proposition to amend the bill then pending, which applied alone to the Philippine Islands, so as to affect and alter all the tariff laws of the United States everywhere, was in order. The amendment I offered had to be germane. The Speaker of this House was in the chair, with all the members present, and the gentleman from New York was in charge of the measure. He made no point of order, but demanded the previous question on the motion. The Chair submitted it to the House of Representatives.

Mr. PAYNE. Does not the gentleman think he is pushed rather hard for an argument when he has to resort to a case where no point of order was made.

Mr. RICHARDSON of Tennessee. I presume the gentleman would have made a point of order, if he thought it was not in order, as he never overlooks his hand. [Laughter.] Now, then, Mr. Chairman, I am content to submit this question. I do not



care if you can find where a Chairman of a committee, a gentleman called from the floor to preside either in the House or the committee for a few moments—temporarily called to preside in Committee of the Whole—may have made rulings different from that we now contend for. I confess that you may find some that are inconsistent with the position we take. I am sure you can not find any well-considered decision that overrules that of Mr. Speaker Blaine.

Now, as I said this morning, many of us differed in opinion with Mr. Blaine while in public life, as a politician; but, as I said, measuring my words, I do not believe that any man of any political party ever presided in that chair who was a better parliamentarian than Mr. Blaine. It is conceded the world over he was the parliamentarian of parliamentarians, and it seems to me merely to quote his decision ought to be conclusive of this case. I am content, Mr. Chairman, having cited that case, having read most of it to the Chair, to leave the matter in the hands of the Chairman of this committee. [Loud applause on the Democratic side.] [Cries of "Rule."]

Mr. GROSVENOR and Mr. OLMSTED addressed the Chair.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. GROSVENOR. Mr. Chairman, I will not detract by any word of mine from the high character given to Mr. Blaine by the gentleman from Tennessee [Mr. RICHARDSON], but I doubt not the members of the House of Representatives of this country will remember that upon the greatest question that we ever had of parliamentary construction, and the application of the greatest question of parliamentary right of the members and the organization of this House, Mr. Blaine was overruled by Speaker Reed, and that the decision of Mr. Reed was against that of Mr. Blaine has passed into parliamentary history of the United States without question, having been adopted by both parties in this House and having overruled the proposition of Mr. Blaine that you might take a horse to water but you could not make him drink. The courts of the country have all overruled Mr. Blaine on that question, beginning in Ohio and ending in New York.

We are moving a little forward, and the parliamentary decisions here for the last thirty years have overruled the suggestion of Mr. Blaine time out of mind, unless the argument of the gentleman from Maine is to be applicable. That argument has been made after careful study, and it comes to this in the last analysis. I ought to say that the suggestion of the gentleman from Pennsylvania [Mr. GROW] leaves the argument of the gentleman from Maine without any footing whatever. It has not the slightest application, for the simple reason, as I will show in a moment, that the gentleman from Maine is supposing a condition of things in the future that he has no warrant for supposing whatever. His argument is this: That notwithstanding the plain terms of the rule of the House of Representatives that where the legislative view of duty on the part of the legislative department of the Government suggests to the legislature that if change A is made, then change B ought to be made; in that case they are germane and belong to the same family. That is the whole of it.

His proposition is that the Chairman of this committee shall take this bill and under his suggestion shall decide that the passage of this bill would disturb the equilibrium of refined sugar. Why? Because it will cut down, or probably might cut down, or possibly it might cut down, the receipts of the Treasury Department from the importation of sugar into this country, and that would disturb the equilibrium. What equilibrium? I take it it would disturb the equilibrium of the Treasury receipts on the article sugar, and that that equilibrium having been disturbed, where does the equilibrium distribute itself as to any legislative intent?

The equilibrium extends to the Treasury Department. Would not an income tax be a good thing to compensate for cutting down of the taxes upon sugar and thus disturbing the equilibrium?

But the gentleman will say that that is an unfair argument, and that the disturbance of the equilibrium to which he has referred is the equilibrium of equal taxation upon the item of sugar; that is to say, that the Chairman of this committee shall transform himself into an expert and decide that because we have concluded that we will cut down the tariff on raw sugar coming from a single location 30 per cent, that therefore there is too much compensation or differential upon the refined sugar. Who is to say that? Why, non constat, the legislative power here has decided that there is too much protection on raw sugar, and therefore the legislative department of the Government has concluded that we will take off 20 per cent.

Now, what right has the Chairman of this committee to say that that disturbs the legislative equilibrium or that there is an equilibrium disturbed that the Legislature ought to attend to and regulate? Why, that might be the very way to go into the subject of reciprocity and turn over the whole of the Cuban production for the mere purpose of bringing about the very equilibrium he is talking about. It might be, and it is, just as fair and a great deal fairer to suppose that the legislative branch of the

Government, if it reduces the tariff on sugar coming from Cuba 20 per cent, to say that it has done so for the purpose of reestablishing the equilibrium that has not been maintained by the Legislature up to this time.

The whole argument turns upon this. What right has the gentleman from Maine to assume that through the action of this committee it can be assumed that the Legislature here intends now to do all the legislation in this single act that it has the power to do hereafter. That seems to me to be the whole of the argument.

Now, coming to the argument of the gentleman from Tennessee [Mr. RICHARDSON], there is that proposition which stands denied by the gentleman from New York as being claimed by the gentleman from Maine to be on all fours. Then come to the second line of policy of this House running through thirty years of administration that says this is absolutely incompetent as an amendment to this bill. Mr. Chairman, I only have a word or two to say. The dignity of the House of Representatives will stand in the estimation of the public just so far and no farther as the House stands by its rules and upholds the dignity of its own organization. And whenever you undertake to say that because you would like to do a thing in a certain way which the rules of the House forbid, you will do it, you have entered upon a pathway that leads to confusion, chaos, and, substantially, legislative revolution.

Mr. LACEY. Mr. Chairman, only a moment. The gentleman from Pennsylvania [Mr. GROW], the venerable ex-Speaker of this House, has, I think, put this whole matter in a nutshell. If this differential on sugar opens up the tariff question, opens the question as to sugar, then the differential between manufactured cigars and leaf or filler tobacco is in the same position, and opens up the whole question as to tobacco. Now, I have seen only one strong argument in favor of overruling the point of order. I send to the Clerk's desk the resolution adopted last night by the Democratic caucus. That binds the Democratic side of the House on my left; I trust that it will not be followed by many gentlemen on this side of the House.

Mr. Chairman, there is only one way to revise the tariff, and that is to revise the tariff; and the proposition made by the gentleman from Minnesota is simply the first step in general tariff revision. It has no parliamentary connection with the proposition now before the Committee of the Whole to give reciprocity to Cuba.

I ask the Clerk to read in my time the resolution of the Democratic caucus, which binds the judgment of the members of that party.

The Clerk read as follows:

*Resolved*, That we favor the removal of the differential duty on refined sugar, both from Cuba and elsewhere, and believe that such amendments are properly in order, and we insist that it is the duty of all Democrats to vote whenever opportunity is given to have these amendments added to the pending bill providing for Cuban reciprocity. We are opposed to the adoption of the previous question when the bill is reported to the House unless it shall have been properly amended in Committee of the Whole, as this will prevent an opportunity for just and proper amendments, with recorded votes on the same.

*Resolved*, That the action of this caucus is binding.

[Applause on Democratic side.]

Mr. LACEY. That resolution may be "binding," but it is "binding" on the other side; not upon us.

Mr. DE ARMOND. Mr. Chairman, the gentleman who made the point of order [Mr. PAYNE] and the gentleman from Ohio [Mr. GROSVENOR], instead of addressing the Chair, as though expecting the Chair to make a decision upon it, addressed the community—their neighborhood. [Laughter.] The gentleman from Maine [Mr. LITTLEFIELD] and the gentleman from Tennessee [Mr. RICHARDSON] addressing themselves to the point of order, addressed also the Chair. So far as the Chair is advised in regard to the arguments all of them are upon the one side, the gentleman from Maine and the gentleman from Tennessee having addressed their arguments to the Chair against this point of order, and the gentleman from New York and the gentleman from Ohio having addressed their appeals in support of it to their fellow-members.

This is a peculiar course of proceeding adopted by the gentleman from New York and the gentleman from Ohio. The result naturally would be, I should think, that the Chairman would reach the conclusion that those who addressed him and who thought they had something to say which might influence his judgment and might guide him to a correct ruling should have more influence with him than those who ignored him, turned their backs upon him, and addressed the by-standers. [Laughter and applause.]

In this state of the case it seems to me it would be entirely just and proper—it would be treating the gentleman from New York and the gentleman from Ohio with very much deference and consideration, if the Chair should refer this point of order to the House itself—if he should simply say, "Gentlemen, I submit this

question to the audience that you have addressed; you have not submitted the matter to me; I pass it over to you."

This really is a question not so much as to what somebody has ruled, or what some rule is, or what somebody may rule, as whether this body will or will not vote to take the differential duty off sugar—will vote in the interest of the people by doing that, or will vote in the interest of the sugar trust by refusing to do it. [Applause on the Democratic side.]

The question, therefore, being so directly, so pointedly addressed to the judgment and the conscience—and as to some members, to their allegiance to the sugar trust; as to others, to their allegiance to the American citizen—it seems to me peculiarly appropriate that the Chairman should submit it to the House.

I take it the Chairman has not made up his mind conclusively upon the subject. [Laughter.] The discussion has proceeded for some time. While the Chairman might have deliberated upon the question when the gentleman from New York and the gentleman from Ohio were addressing the populace—while the Chairman might have been informed upon it while listening to the gentleman from Maine and the gentleman from Tennessee—I take it that, inasmuch as the Chairman has dropped no intimation of the kind, he has not made up his mind upon this very important question. Therefore, it seems to me, it would be economy of time, it would lead to a correct and speedy disposition of this question upon the merits, for the Chair to simply submit it to the House itself.

Now, Mr. Chairman, when questions of the Constitution have arisen heretofore I have heard gentlemen say that we have progressed, that we are traveling and growing and enlarging, that we have become a "world power," and that the shackles of the Constitution and the old interpretations of the Constitution ought not to bind or control us. Yet, so strange are the transformations that take place, gentlemen like the gentleman from New York and like the eloquent gentleman from Ohio are now advocating a policy which, if it prevail, will protect the sugar trust and leave the American people unprotected; and they hang their argument entirely upon a criticism of somebody's ruling or the letter of somebody's rule.

Of course my views upon this subject are well understood by those who care to understand anything about them. I have thought and still think that all rules which deserve respect and all rulings which deserve to be followed have for their principal object—I might say, have for their sole object and being—the expediting of business in the House, so that there may be a fair and full consideration of matters, and, according to the judgment of those who decide them, a decision upon the merits. For rules which hamper and restrict, for rulings which tie up, giving gentlemen an opportunity to hide and shelter themselves in pretense and hypocrisy behind rule or rulings, I have not any particular respect and do not profess any.

I do not think that, in deference to the gentleman from New York and the gentleman from Ohio, who certainly want this question referred to the audience which they addressed, the Chairman would expedite business and simplify matters very much by submitting this whole question to the Representatives present, as his great predecessor in the chair, Mr. Blaine, did upon a memorable occasion, to which attention has been drawn. Here we are now in pretty large number; here we are upon one side or the other of this sugar-trust question; let the Chairman just submit the point of order and say, "Gentlemen, do what you please about it; vote for the sugar trust or against it."

Mr. LACEY. Will the gentleman permit a question?

Mr. DE ARMOND. Certainly.

Mr. LACEY. Does he not feel that he is hardly a fair judge, after deciding the question last night in caucus?

Mr. DE ARMOND. Oh, I feel that I am a fair judge, and I feel that the House will be so fair a judge that I am now modestly recommending to the Chairman to just put the whole thing upon the House, and submit the whole question to the judgment of the House. I think it is the best thing to do. I think it is the fairest thing to do. I am willing to take the chances upon the decision of the House. We will at least find out, whatever the decision be, who stands for the sugar trust and who stands for the American people, and the whole cobweb rule will be swept aside. [Applause.]

Mr. OLMSTED. Mr. Chairman, a distinguished gentleman of New York once said: "What is the Constitution among friends?" And the distinguished gentleman from Missouri [Mr. DE ARMOND], if I correctly understand the remarks made by him yesterday and those he has just concluded, says in effect: "What are the rules among friends?"

Mr. DE ARMOND. Will the gentleman permit a suggestion?

Mr. OLMSTED. Certainly.

Mr. DE ARMOND. He misunderstands me—what is a little rule upon an issue between the sugar trust and the American people? [Applause on the Democratic side.]

Mr. OLMSTED. Mr. Chairman, that is about as near the point as anything we have heard upon this question from that side. It has at least the merit of candor in practically conceding that the rule does forbid the amendment. Now, this little rule has been commented and passed upon by even more distinguished Democrats than the gentleman from Missouri—by such Democrats as Speaker Howell Cobb, Speaker John G. Carlisle, and Speaker Crisp—all of whom considered it to be among the most important rules which this House has ever enacted for its government. I propose to refer to a few decisions which have not yet been mentioned. They are not decisions, as suggested by the gentleman from Tennessee [Mr. RICHARDSON], made by members who may be called from time to time from the floor to occupy the chair for a few minutes or a few hours, but decisions by distinguished parliamentarians whom even he will respect.

I wish to say at the outset, Mr. Chairman, that Mr. Speaker Blaine never made such a ruling as has been attributed to him. He declined to make the ruling. He did say enough to indicate that he would like to have a certain amendment considered, but he would not take the responsibility of saying that it was germane under the rules. He would not risk his reputation as a parliamentarian by so ruling, and therefore he submitted it to the House, and the House being in favor of the amendment voted that it should be considered. So much for the alleged ruling of Speaker Blaine.

Now, I call attention to the ruling of a distinguished Democrat in a case which seems to me to be parallel. There was pending in the House an act for the relief of the widow of the late Major-General Worth. This was on the 12th of April, 1850, in the first session of the Thirty-first Congress. (See page 714 of the Congressional Globe.) An amendment was offered making a general provision relative to all widows of officers. Mr. Kaufman made the point that the amendment was not germane, "because the bill was a special bill for the relief of a particular individual, while the amendment was a general proposition." I will not stop to read the discussion, but simply the ruling of Mr. Howell Cobb, of Georgia, the Speaker of this House at that time. He said:

The bill is for the relief of a particular individual. The gentleman from Tennessee [Mr. Jones] proposes to amend it by adding a general clause to cover cases of a similar character. The Chair is of opinion that it is neither in order to amend the bill by the addition of a general clause nor by providing for the case of another individual. Upon this ground the Chair rules the amendment out of order.

Now, the gentleman from Maine [Mr. LITTLEFIELD] concedes, as everybody must, that the pending bill is special. It relates to a single individual nation—Cuba. The amendment proposed is general and relates to all nations. It is not germane to a special bill relating to Cuba.

The ruling I have cited was followed, Mr. Chairman, in the Forty-eighth Congress, where there was pending a bill to admit Oregon as a State. My venerable and distinguished colleague [Mr. GROW] moved an amendment including another—Kansas. It was ruled by James L. Orr, of South Carolina, then Speaker of this House, that the amendment was not germane. Mr. GROW appealed. On motion of Mr. Alexander H. Stephens, the House tabled the appeal by a vote of 126 to 92. Both the Speaker and the House held that as the bill in terms related to one State only, an amendment relating to another was not germane. This bill relates to Cuba. Its provisions are restricted specifically to Cuba. The amendment relates to Germany and every other country.

Again, when a bill was offered to admit New Mexico the gentleman from Iowa [Mr. LACEY] who recently addressed the Chair moved to amend by inserting other States. Speaker Crisp ruled that amendment out of order. In the Fiftieth Congress a bill to admit Dakota was pending. Speaker Carlisle ruled out an amendment to admit another State. Again, in the Fifty-third Congress, it was held by Speaker Carlisle that it was not in order to ingraft upon a bill for the relief of one State a provision for the relief of another. That will be found in section 1084 of Mr. Hinds's book. The bill was offered by Mr. Bryan for the relief of Nebraska from certain expenses incurred in relation to an Indian raid. An amendment was offered affording similar relief to South Dakota. Mr. Joseph D. Sayers, now governor of Texas, made the point that it was not germane.

Speaker Carlisle cited the decision of Speaker Cobb, to which I have referred, that a bill for the relief of an individual could not be amended by inserting a general clause, or by a provision for the relief of another individual. He held that a bill relating to one State could not be amended by adding matter for the relief of another State. This is a bill for the relief of Cuba. An amendment for the relief of Germany, or any other country, or all other countries, or relating to them generally is not germane.

Now, I should like, Mr. Chairman, to call attention to this bill. It is, as its title indicates, "A bill to provide for reciprocal trade relations with Cuba." It is not a tariff bill. Incidentally it affects the tariff, by providing that upon certain conditions the



President may reduce the tariff upon articles coming from Cuba. It relates only to Cuba.

Now, under the decisions which I have cited it is clear that an amendment would not be in order extending these reciprocal trade relations to Germany, if you please, or to any other country. The Chair would have to rule that or overrule the decisions of a dozen different Speakers of this House. But here is an amendment which is general. It relates to goods coming from all countries. It does not even provide reciprocal trade relations with those countries. It is upon a different subject. It provides that sugar from Germany and from all other countries shall come into this country under changed tariff conditions, without any reciprocal provisions whatever. It has no relation to reciprocal trade relations with any country, and it does not relate to Cuba. It violates the rule because it is "on a subject different from that under consideration."

Now, as my venerable colleague [Mr. Grow] has said, this is not a bill which mentions sugar at all. Sugar is affected only incidentally. It is affected no more than other products coming from Cuba. It does not relate to any article of commerce coming from any other country. And therefore, without longer consuming your time, I submit that an amendment proposing a provision of general law, applicable to products coming from all countries and without any reciprocal trade relations is manifestly not germane to a bill which relates only to Cuba and has for its sole object the establishment of reciprocal trade relations with that government.

Mr. MORRIS. Mr. Chairman, inasmuch as I submitted this amendment to the House, and submitted it in good faith, supposing and believing the amendment to be germane to the bill now under consideration, as I now believe it to be so germane, it is proper that I should give to the House the reasons for that belief.

Mr. Chairman, this is a bill which, as the gentleman from New York [Mr. PAYNE] has said, provides for reciprocal trade relations with Cuba. And how does it provide for reciprocal trade relations with Cuba? It provides for reciprocal trade relations with Cuba by a reduction of the tariff on articles coming from Cuba. And in so far as it does that it affects the revenue, and inasmuch as it does that it was held to be in order and a privileged bill by the Speaker of this House.

Now, Mr. Chairman, there are certain things that this House is obliged to know. There are certain things which appear in the public records of this Government, in the public documents of this House. There are certain things which have been brought to the attention of this House in this debate, now running for nearly two weeks; and what are those things?

In the first place, Mr. Chairman, what have we been talking about here for nearly two weeks? What single article have we confined our discussion to? Nothing on the face of the earth but sugar. [Applause.] It has been a sugar proposition from start to finish. What does this bill propose? It proposes to reduce the tariff upon articles coming from Cuba. And what does this House know from the records of the Government and the evidence before the House?

It knows that the principal, the chief, the overwhelming article that comes from Cuba is sugar. And what kind of sugar? This House knows, every member of it, that the kind of sugar that comes from Cuba is raw sugar, and practically nothing else. That is what the House knows, and that is what the country knows.

Now, by this reduction what do we do? We reduce the tariff on raw sugar coming from Cuba from 1.685 to 1.34. In other words, as to that sugar we have increased the gap between the duty on refined sugar and the duty on raw sugar from the difference between 1.685 and 1.95 to the difference between 1.34 and 1.95, for there is practically no refined sugar coming from Cuba, and consequently the 20 per cent reduction on refined sugar from Cuba has no effect. We have increased it from two hundred and sixty-five one-thousandths to about sixty-one hundredths of a cent per pound, and that gap is the differential.

And on how much is that increase of the differential? This House knows that that is on more than half the sugar that comes into the country. And if that be the case, is not that an increase of the differential by more than half that amount on all the sugar that comes into the country from all the world?

In other words, by this bill you have disturbed the relations fixed by our tariff laws between the duty on raw sugar and the duty on refined sugar, on all the sugar which we import.

Is it possible, then, for us to say that we have not the right to readjust the sugar schedule of our tariff law to, in part at least, correct this disturbance during the time while the agreement proposed in this bill is in operation? [Applause.] That is the question, and that is the sole question.

The gentleman from Pennsylvania, my distinguished and venerated friend Mr. Grow, said the word "sugar" is not in this bill. The word "sugar" is not, but "sugar" is in it and all over it. [Laughter and applause.]

Now, coming to the decisions, you may hunt them over and over and you are not going to find a single case, as the distinguished gentleman from Maine has said, that is on all fours with this. The only case that I have been able to find in all my search at all like it is the case already referred to, decided by Mr. Blaine.

He decided that when the House was considering a bill for the reduction of internal-revenue taxes an amendment proposing to reduce customs duties was germane and in order; that to compensate for the changes made in the internal taxes the House could necessarily make changes in external taxes. Now, I will read what Mr. Blaine said, just for a minute. Mr. Blaine said that in his judgment—

the amendment was germane, from the very necessities of the case; for it might be of the utmost importance in determining the internal revenue to be derived from any article to determine also what the external revenue shall be from the same article.

Surely the case presented by this amendment is very much stronger than the one decided by Mr. Blaine. Here is a measure which proposes to change a schedule of our tariff as to more than one-half of the amount of a certain article which comes into the country in very large quantities and pays an enormous revenue. We know that the change will largely affect the revenue from a certain grade of that article, to wit, raw sugar.

Then, following Mr. Blaine, is not this amendment germane from the very necessities of the case? Might it not be of the utmost importance in determining the revenue to be derived from raw sugar to determine also the revenue to be derived from refined sugar? Might it not be of the utmost importance, from the very necessities of the case, for Congress to compensate in some measure for the change in the duty on raw sugar by making a change in the duty on refined sugar? That is the question. [Applause.]

Again I say the case now under consideration is much stronger in our favor than the one decided by Mr. Blaine. By this legislation we will be changing, disturbing, one of the great schedules of our tariff law—a peculiar schedule, differing in some respects from any other. By the change we make we entirely change the refiner's differential. We practically (I say practically, for we all know that no refined sugar comes from Cuba) increase that differential on more than half the sugar imported into the country from 12½ cents a hundred pounds to 49 cents a hundred pounds, or to one-half that amount on all the sugar imported.

Is it possible that it can be out of order to readjust in the same bill that schedule so as to compensate in part at least for that change? Surely there would seem to be but one answer. When in and by a bill you change or disturb to such an extent one of the schedules of the tariff law, surely you have a right to readjust that schedule in the same bill, and any motion which tends to readjust it and has that object is a motion relating to the subject under consideration. [Applause.]

Is it possible to say that it relates to a subject different from that under consideration? Surely not. [Applause.] And if this be true, then there can be no question as to its being germane.

How is this readjustment to be made? By the House. And if, in the judgment of the House, this amendment accomplishes it, or tends to accomplish it, then the House has a right to consider and adopt it. [Applause.]

It seems to me, Mr. Chairman, it is as plain as a pikestaff. It is so plain that he who runs may read, and the only way on the face of the earth, as it seems to me, that you can sustain this point of order is by entirely disregarding a plain proposition of common sense and by overruling a decision of one of the greatest Speakers that ever sat in that chair. [Loud applause and cries of "Rule!"]

The CHAIRMAN. The closing portion of section 7 of Rule XVI, which has been already read in the debate in the committee, reads:

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

The bill now before us is entitled "A bill to provide for reciprocal trade relations with Cuba." It authorizes the President to enter into negotiations with the government of Cuba when established for the purpose of securing reciprocal trade relations with Cuba, and when an agreement is made that, in his judgment, is reciprocal and equivalent, to proclaim the fact, "and thereafter until December 1, 1903, the imposition of the duties now imposed by law on all articles imported from Cuba, the products thereof, shall be suspended, and in lieu thereof 80 per cent of the duty imposed upon such articles coming from other countries shall be collected."

Clearly this is simply and solely a bill to provide for reciprocal relations with Cuba, and Cuba only. An amendment can then be in order only if it relates to trade between Cuba and the United States. In other words, it must be germane. A long line of decisions, covering a period of three-quarters of a century—because the present rule is worded precisely as it was adopted in 1822—

made by distinguished Speakers of the House, from various sections of this country, have all emphasized the real intent and meaning of the rule above quoted.

These decisions have been based upon its literal construction. Except a decision of Speaker Cobb, in the Thirty-first Congress, later in the same Congress reversed by the House, seemingly by the Speaker's acquiescence, these decisions are all in one direction. Speaker Blaine made no decision upon this question. He did emphatically express his judgment upon a like proposition, and after expressing his judgment, he referred the matter to the committee for decision. So that he made no decision overruling the long line preceding.

Mr. BLACKBURN, presiding in Committee of the Whole, or Speaker pro tempore, I think, did not make the ruling that the gentleman from Tennessee says that he made. The gentleman is mistaken in the statement. He decided that the point of order was raised too late for consideration. Here is the exact wording of Speaker BLACKBURN'S ruling:

The Chair will state to the gentleman from Michigan that he is not prepared to say that he would not have sustained his point of order and ruled the amendment of the gentleman from Tennessee out of order as not being germane to the subject-matter of the bill, if it had been made in time.

Speaker BLACKBURN held that the point of order was not raised in time. He expressly states that he does not hold that he would not have excluded it as not germane had it been raised in time.

If the Chair might be permitted to make a brief citation of very many decisions made by former Speakers—and the Chair will refer in the main to the decisions made by Speakers, and not by Chairmen of the Committee of the Whole—I think the committee will see that practically an unbroken line of precedents is in favor of the literal construction of the rule of germaneness.

In the Thirtieth Congress, the resolution providing for an investigation to obtain information upon which to frame a tariff bill, an amendment was offered striking out all after the resolving clause and inserting "that it is expedient to amend the present existing tariff by increasing the duties" on certain commodities. Speaker Stevenson, of Virginia, held the amendment to be inadmissible because on a subject different from that under consideration.

In the Twenty-seventh Congress to a bill under consideration authorizing the issue of Treasury notes, an amendment was offered providing that so much of the act of September 4, 1841, as provided for the distribution of the proceeds of the sale of public land among States and Territories be suspended, and the said fund be applied to the payment of outstanding Treasury notes, outstanding as well as those issued under the act, Mr. Hopkins, of Virginia, decidedly a clear and strong parliamentarian, held that the amendment was not germane.

In the Thirtieth Congress, during the pendency of a bill locating military land warrants in Virginia, it was proposed to amend by providing that these land warrants might be located on any public land subject to entry. Speaker Winthrop, of Massachusetts, held this amendment not to be germane.

And in the same Congress the same Speaker held an amendment to a resolution to ascertain and equalize the salaries of United States district judges so as to include marshals and district attorneys not in order, and upon an appeal the Chair was sustained.

In the Thirty-fifth Congress, while a bill was pending granting preemption to settlers upon public lands, an amendment was offered donating 160 acres free, upon certain conditions as to occupancy and cultivation. Speaker Orr, from South Carolina, held the amendment not to be germane.

In the Fiftieth Congress, to the bill for the admission of Dakota as a State, an amendment was offered to include New Mexico, Montana, and Washington. The question was discussed at considerable length. The gentleman from Michigan, Mr. BURROWS, now a Senator from that State, a gentleman justly famed as a parliamentarian, in arguing in support of the point of order that the amendment was not germane, fully reviewed the history of the rule and its application. Speaker Carlisle, an able parliamentarian, to whose great ability and fairness I gladly testify, held the amendment not to be germane and sustained the point of order.

On the 7th of this month, only the other day, while we were considering the Chinese-exclusion bill in the Committee of the Whole, the gentleman from Massachusetts [Mr. MOODY] in the chair, an amendment prohibiting the employment of Chinese labor on American ships was held not to be germane to a bill regulating the admission of Chinese into this country.

These are but a few of the decisions which all are on one side, all covering a period of more than seventy-five years.

It has been said that the Speaker, on the day this bill was taken up for consideration, held that this was a revenue bill. The Speaker did not so hold. The Speaker did, in reply to a parliamentary inquiry, say that this was a bill affecting the revenue, and stated that it has been the custom of this House to consider

bills affecting the revenue as privileged matters, and this holding of the Speaker is sustained by a direct holding upon that very proposition by Speaker Reed in the Fifty-first Congress, and by many other decisions made at prior dates.

The argument of the gentleman from Maine that we must maintain the "equilibrium," and that to maintain the "equilibrium" this amendment is in order, is not, as it seems to the Chair, tenable. As well might he say that when a bill to appropriate \$50,000,000 for rivers and harbors is under consideration we must, in order to maintain the "equilibrium," attach to it a provision to raise revenue, to bring money into the Treasury, to provide for that which is going out; and that proposition has been distinctly held in this House in the Thirty-first Congress not to be in order.

The argument of the gentleman from Maine might and probably would and probably does affect the judgment of members of the committee, so far as the merits of the proposition are concerned, but with the merits of any proposition the Chair has not to do in applying the rules to a question of order which is raised for him to dispose of.

Applying the rule, applying the precedents, applying to it the construction it has received for more than seventy-five years, it seems to the Chair just as clear as the hands of the clock before him are distinct, that this amendment, which relates to the duties upon sugar from the entire world, is not germane to a bill providing for reciprocal trade relations with Cuba, and is not in order as an amendment to the bill, and therefore the Chair sustains the point of order.

Mr. TAWNEY. I appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Minnesota appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the committee? The Chair prefers that the vote on this question should be taken by tellers, and will ask the gentleman from New York [Mr. PAYNE] and the gentleman from Minnesota [Mr. TAWNEY] to take their places as tellers.

The committee having divided and the tellers having reported, The CHAIRMAN said: On this question the ayes are 130, the noes 171. [Applause on the Democratic side.] The decision of the Chair is overruled. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

Mr. PAYNE. Mr. Chairman, during this debate we have heard a good deal about party consistency [cries of "Order!"] and about standing by the principle of protection.

The CHAIRMAN. The committee will be in order.

Mr. SULZER. I call for the regular order.

Mr. PAYNE. Let the gentleman from New York [Mr. SULZER] be in order.

The CHAIRMAN. The gentleman from New York [Mr. PAYNE] is in order, having been recognized in opposition to the amendment.

Mr. PAYNE. Now, Mr. Chairman, here is a proposition to reduce the duty on refined sugar, the product of the beet-sugar factories of the United States. I know that the gentlemen on the other side of the House will to a man vote for this amendment. I am not talking to them. I am talking to this side of the House. I want gentlemen on this side to understand distinctly the question on which they are to vote.

I was scoffed the other day because I said I was the friend of the beet-sugar interest. I will prove it to-day by voting against this amendment, which reduces their protection. You all admit that the proposition before the committee, without amendment, will not reduce the price of sugar in the United States a single farthing. Here is a proposition that will reduce it 12½ cents a hundred pounds, because it is a reduction upon the sugar of the world. I ask the Republicans in this House, before they vote for that proposition, to consider its effect, and to consider also that the beet-sugar interest in the United States—the manufacturers of beet sugar—are opposed to the proposition.

A MEMBER. How about the farmers?

Mr. PAYNE. And the farmers are opposed to it. Every man that is engaged in raising beets or in the manufacture of beet sugar is opposed to the proposition. It is against his interest. Now I ask you gentlemen who propose to stand by the beet-sugar men—who claim to be their friends—I ask you now when you vote to remember the beet-sugar interest and to remember the friends of the beet-sugar interest.

Mr. WEEKS. Does not that appeal come a little late in the closing hour of this contest?

Mr. PAYNE. Well, I have no reply to make to the gentleman from Michigan.

Mr. McCLELLAN. I offer the amendment which I send to the desk.

The Clerk read as follows:

Amend the amendment as follows: "Strike out all after the words 'United States' and insert the following: 'One cent and forty-six one-hundredths of 1 cent per pound; and upon all other sugars, on tank bottoms, sirups of cane



juice, melada, concentrated melada, molasses, concrete and concentrated molasses, 80 per cent of the duties now provided by law."

Mr. McCLELLAN. Only a word, Mr. Chairman. The purpose of this amendment is not only to do away with the differential, but to reduce generally the sugar schedule of the Dingley law 20 per cent. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York to the amendment.

The question being taken, the amendment to the amendment was rejected.

Mr. DE ARMOND. Mr. Chairman, I offer the following amendment, which I will send to the desk. It is an amendment to the amendment.

The Clerk read as follows:

Amend the amendment by striking out the words "upon the making of said agreement and the issuance of said proclamation and while said agreement shall remain in force."

Mr. DE ARMOND. Mr. Chairman, the purpose of the amendment is plain enough, I think, from the reading of it. The original amendment provides that upon the making of the agreement with Cuba and the issuing of the proclamation the reduction in duty on refined sugar shall take place. The amendment to the amendment makes it general and removes the limit as to time. The amendment which I offer is to the amendment offered by the gentleman from Minnesota, and it removes the limitation in that amendment. The amendment offered by the gentleman from Minnesota is to take the differential duty off refined sugar and sugar above 16 Dutch standard in color from the time of the making of the agreement with Cuba and the issuing of the proclamation following the agreement, until December, 1903.

If the amendment which I offer be adopted, the differential duty upon refined sugar and the corresponding duty upon sugar above 16 Dutch standard in color will be taken off from the passage of the bill and during the continuance of the law; in other words, until there be a change in the law. If the amendment which I offer be adopted, and the amendment offered by the gentleman from Minnesota as thus amended be adopted, the differential duty upon refined sugar and the duty upon sugar above 16 Dutch standard in color will be taken off from the passage of the bill, and without limitation as to time. I think it ought to be adopted; and this is all I desire to say about it.

Mr. ROBERTSON of Louisiana. Mr. Chairman, I would like to hear the amendment read again.

The CHAIRMAN. If there be no objection, the Clerk will again report the amendment.

There was no objection, and the Clerk read the amendment.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The question was taken; and the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Minnesota.

The question was taken; and on a division (demanded by Mr. PAYNE) there were—ayes 164, noes 111.

So the amendment was agreed to.

Mr. ROBERTS. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Add a new section, as follows:

"SEC. 2. On and after the passage of this act the raw or uncured hides of cattle, whether the same be dry, salted, or pickled, shall, when imported, be exempt from duty."

"Paragraph 437, Schedule N, of the act entitled 'An act to provide revenue for the Government and to encourage the industries of the United States,' approved July 24, 1897, is hereby repealed."

Mr. PAYNE. Mr. Chairman, I raise the point of order against that amendment as not germane.

The CHAIRMAN. Does the gentleman from Massachusetts desire to be heard?

Mr. ROBERTS. In view of the wide range of discussion that has been had in this body to-day regarding the germaneness of amendments, I do not propose to occupy any time of the committee. I will take the decision of the Chair on the point of order.

The CHAIRMAN. The Chair desires to say that under the ruling of the committee overruling the Chair a few moments ago quite likely that would be in order; but the Chair's views have not been modified by the action of the committee, and the Chair holds the amendment not germane and out of order.

Mr. ROBERTS. Mr. Chairman, I appeal from the decision of the Chair.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

The question was taken; and there were—ayes 183, noes 70.

So the decision of the Chair was sustained.

Mr. LACEY. Mr. Chairman, a parliamentary inquiry. What has become of the great parliamentary question decided a few moments ago?

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. CURTIS having taken the chair as Speaker pro tempore, a message from the President of the United States was communicated to the House of Representatives, by Mr. CROOK, one of his secretaries, who informed the House of Representatives that the President had approved and signed bills of the following titles:

On April 17, 1902:

- H. R. 291. An act granting a pension to Christina Heitz;
- H. R. 3260. An act granting a pension to Jacob Golden;
- H. R. 7525. An act granting a pension to Marion Barnes;
- H. R. 9654. An act granting a pension to John S. James;
- H. R. 9378. An act granting a pension to Clara B. Townsend;
- H. R. 11025. An act granting a pension to Mary A. Carlile;
- H. R. 12395. An act granting a pension to Ruth Bartlett;
- H. R. 12275. An act granting a pension to Amelia A. Russell;
- H. R. 1476. An act granting an increase of pension to Henry F. Benson;
- H. R. 1485. An act granting an increase of pension to Thompson B. Moore;
- H. R. 1685. An act granting an increase of pension to Augustus E. Hodges;
- H. R. 1709. An act granting an increase of pension to Edwin J. Godfrey;
- H. R. 2613. An act granting an increase of pension to Thomas H. H. Gibbs;
- H. R. 3352. An act granting an increase of pension to Margaret M. Boyd;
- H. R. 3354. An act granting an increase of pension to Thomas Young;
- H. R. 3427. An act granting an increase of pension to Sarah E. Allen;
- H. R. 3876. An act granting an increase of pension to Theophile A. Dauphin;
- H. R. 3884. An act granting an increase of pension to Erastus C. Moderwell;
- H. R. 4053. An act granting an increase of pension to Henry E. De Maise;
- H. R. 4116. An act granting an increase of pension to William Berry;
- H. R. 4172. An act granting an increase of pension to George R. Chaney;
- H. R. 4176. An act granting an increase of pension to Nathan W. Snee;
- H. R. 6023. An act granting an increase of pension to Robert L. Ackridge;
- H. R. 7290. An act granting an increase of pension to Lizzie B. Green;
- H. R. 7613. An act granting an increase of pension to Evaline Wilson;
- H. R. 7847. An act granting an increase of pension to Charles S. Wilson;
- H. R. 10710. An act granting an increase of pension to Frances E. Scott;
- H. R. 10957. An act granting an increase of pension to Mary E. Stockings;
- H. R. 11916. An act granting an increase of pension to Andrew B. Spurling; and
- H. R. 12490. An act granting an increase of pension to Joseph Culbreath.

#### RECIPROCITY WITH CUBA.

The committee resumed its session.

Mr. ROBERTS. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Add to the bill the following:

"Provided, That the raw or uncured hides of cattle, whether the same be dry, salted, or pickled, shall, when imported from the island of Cuba, be exempt from duty."

Mr. PAYNE. I make the point of order against that that it is not germane, and also that it is dilatory.

Mr. ROBERTS. This relates only to hides from Cuba.

Mr. PAYNE. I did not understand that. With the understanding that it applies only to Cuba, I withdraw the point of order.

The CHAIRMAN. The amendment, as reported by the Clerk, applies solely to the island of Cuba.

Mr. PAYNE. Then I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the question is on agreeing to the amendment.

The question being taken, on a division (demanded by Mr. ROBERTS) there were—ayes 120, noes 136.

Mr. ROBERTS. I ask for tellers, Mr. Chairman.

Tellers were refused, not a sufficient number voting in favor of the demand therefor.

Accordingly the amendment was rejected.

Mr. McCLELLAN and Mr. RICHARDSON of Tennessee rose.

The CHAIRMAN. The gentleman from Tennessee.

Mr. RICHARDSON of Tennessee. Mr. Chairman, I yield to the gentleman from New York [Mr. McCLELLAN], who has an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 2, line 1, strike out the word "twenty" and insert the word "forty;" on page 2, lines 15 and 16, strike out the words "until the 1st day of December, 1933," and on page 2, line 20, strike out the word "eighty" and insert the word "sixty."

Mr. McCLELLAN. Only a word, Mr. Chairman. The purpose of this amendment is to increase the reduction to and from Cuba from 20 per cent to 40 per cent and to take off the time limit. This is the proposition suggested by General Wood, and is semi-officially stated to be what the Secretary of War desires, and is called in the newspapers the Long proposition. It is a sufficient reduction to give a living profit on sugar to the Cubans and to fulfill the national obligation.

The question being taken on the amendment offered by Mr. McCLELLAN, on a division (demanded by Mr. McCLELLAN) there were—ayes 102, noes 162.

Accordingly the amendment was rejected.

Mr. RICHARDSON of Tennessee. Mr. Chairman, I desire to offer the following amendment as section 2.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

SEC. 2. That the rates of duty now imposed on all articles embraced in "Schedule C—Metals and manufactures of metals," of the act known as the Dingley Act, approved July 24, 1897, be revised and reduced exactly in accordance with H. R. 9056 of the present session of Congress, which is in words and figures following, to wit:

Be it enacted, etc., That paragraph No. 130 of Schedule C—Metals and manufactures of, be, and the same is hereby, repealed.

SEC. 2. That section 2 of said act be, and the same is hereby, amended by adding after paragraph No. 705 of the free list the following new paragraphs:

"706. All iron in slabs, blooms, loops, or other forms less finished than in bars, and more advanced than pig iron.

"707. Beams, girders, joists, angles, channels, car-truck channels, T's, columns and posts or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all structural shapes of iron or steel, whether plain or punched or fitted for use.

Mr. RICHARDSON of Tennessee. With the permission of the committee I can make a statement of this. This is the bill introduced by Mr. BABCOCK—

Mr. GROSVENOR and others. Regular order!

The CHAIRMAN. Regular order is demanded.

Mr. RICHARDSON of Tennessee. All right, let the Clerk read.

The Clerk continued the reading of the amendment, as follows:

"708. Boiler or other plate iron or steel, except crucible plate steel and saw plates, otherwise provided for, not thinner than No. 10 wire gauge, sheared or unheated, and skelp iron or steel sheared or rolled in grooves, valued at one and one-half cents per pound or less.

"709. Railway bars, made of iron or steel, and railway bars made in part of steel, T rails, and punched iron or steel flat rails, railway fish plates or splice bars, made of iron or steel.

"710. Steel ingots, cogged ingots, blooms, slabs, billets, bars, and tapered or beveled bars, except crucible steel, otherwise provided for."

SEC. 3. That the following numbered paragraphs of Schedule C—Metals and manufactures of, be, and they are hereby, amended so that they shall read as follows:

"122. Iron in pigs, iron kettledge, spiegeleisen, ferro-manganese, ferro-silicon, wrought and cast scrap iron, and scrap steel, \$2 per ton; but nothing shall be deemed scrap iron or scrap steel except waste or refuse iron or steel fit only to be remanufactured.

"123. Bar iron, square iron, rolled or hammered, comprising flats not less than one inch wide nor less than three-eighths of one inch thick, round iron not less than seven-sixteenths of one inch in diameter, three-tenths of one cent per pound.

"124. Round iron, in coils or rods, less than seven-sixteenths of one inch in diameter, not specially provided for in this act, four-tenths of one cent per pound.

"125. All iron bars, blooms, billets, or sizes or shapes of any kind, in the manufacture of which charcoal is used as fuel, shall be subject to a duty of \$12 per ton.

"126. Boiler or other plate iron or steel, except crucible plate steel and saw plates hereinafter provided for, not thinner than No. 10 wire gauge, sheared or unheated, and skelp iron or steel sheared or rolled in grooves, valued at over 1½ cents per pound, 15 per cent ad valorem: *Provided*, That all sheets or plates of iron or steel thinner than No. 10 wire gauge shall pay duty as iron or steel sheets."

"128. Hoop, band, or scroll iron or steel, not otherwise provided for in this act, valued at 3 cents per pound or less, 8 inches or less in width, and less than three-eighths of 1 inch thick and not thinner than No. 10 wire gauge, one-fourth of 1 cent per pound; thinner than No. 10 wire gauge and not thinner than No. 20 wire gauge, three-tenths of 1 cent per pound; thinner than No. 20 wire gauge, four-tenths of 1 cent per pound: *Provided*, That barrel hoops of iron or steel, and hoop or band iron or hoop or band steel flared, splayed, or punched, with or without buckles or fastenings, shall pay one-tenth of 1 cent per pound more duty than that imposed on the hoop or band iron or steel from which they are made; steel bands or strips, untempered, suitable for making band saws, 3 cents per pound and 20 per cent ad valorem; if tempered, or tempered and polished, 6 cents per pound and 20 per cent ad valorem.

"129. Hoop or band iron, or hoop or band steel, cut to lengths, or wholly or partly manufactured into hoops or ties, coated or not coated with paint or

any other preparation, with or without buckles or fastenings for baling cotton or any other commodity, one-fourth of 1 cent per pound."

"131. Sheets of iron or steel, common or black, of whatever dimensions, and skelp iron or steel, valued at 3 cents per pound or less, thinner than No. 10 and not thinner than No. 20 wire gauge, four-tenths of 1 cent per pound; thinner than No. 20 wire gauge and not thinner than No. 25 wire gauge, five-tenths of 1 cent per pound; thinner than No. 25 wire gauge and not thinner than No. 32 wire gauge, six-tenths of 1 cent per pound; thinner than No. 32 wire gauge, seven-tenths of 1 cent per pound; corrugated or crimped, six-tenths of 1 cent per pound.

"132. All iron or steel sheets or plates, and all hoop, band, or scroll iron or steel, excepting what are known commercially as tin plates, terneplates, and taggers tin, and hereinafter provided for, when galvanized or coated with zinc, spelter, or other metals, or any alloy of those metals, shall pay one-tenth of 1 cent per pound more duty than if the same was not so galvanized or coated.

"133. Sheets of iron or steel, polished, planished, or glanced, by whatever name designated, 1 cent per pound: *Provided*, That plates or sheets of iron or steel, by whatever name designated, other than the polished, planished, or glanced herein provided for, which have been pickled or cleaned by acid or by any other material or process, or which are cold rolled, smoothed only, not polished, shall pay one-tenth of 1 cent per pound more duty than the corresponding gauges of common or black sheet iron or steel.

"134. Sheets or plates of iron or steel, or taggers iron or steel, coated with tin or lead, or with a mixture of which these metals, or either of them, is a component part, by the dipping or any other process, and commercially known as tin plates, terneplates, and taggers tin, 1 cent per pound.

"135. Crucible steel, not otherwise provided for in this act; die blocks or blanks; mill shafting; pressed, sheared, or stamped shapes; saw plates, wholly or partially manufactured; hammer molds or swaged steel; gun-barrel molds not in bars; alloys used as substitutes for steel in the manufacture of tools; all descriptions and shapes of dry sand, loam, or iron molded steel castings; sheets and plates and steel in all forms and shapes not specially provided for in this act: All of the above valued at 1.4 cents per pound or less, two-tenths of 1 cent per pound; valued above 1.4 cents and not above 1.8 cents per pound, three-tenths of 1 cent per pound; valued above 1.8 cents and not above 2.2 cents per pound, five-tenths of 1 cent per pound; valued above 2.2 cents and not above 3 cents per pound, nine-tenths of 1 cent per pound; valued above 3 cents per pound and not above 4 cents per pound, 1.2 cents per pound; valued above 4 cents and not above 7 cents per pound, 1.3 cents per pound; valued above 7 cents and not above 10 cents per pound, 2 cents per pound; valued above 10 cents and not above 13 cents per pound, 2.4 cents per pound."

Mr. GRAHAM. I raise the point of order that sufficient of) that has been read to determine that it is not germane.

The CHAIRMAN. The Chair thinks the point of order is well taken. Enough has been read to convince the Chair that, in line with his first ruling of to-day, the amendment is not in order, as not being germane to the bill.

Mr. RICHARDSON of Tennessee. Mr. Chairman, I shall not appeal from the decision of the Chair. This is simply the measure introduced by the gentleman from Wisconsin [Mr. BABCOCK], which two counties in the gentleman's district yesterday declared in favor of, and it seems to me it is a good Republican and Democratic measure.

Mr. DALZELL. Nevertheless, it is not in order.

Mr. RICHARDSON of Tennessee. I hope the Chair will not hold it out of order.

The CHAIRMAN. The Chair sustains that point of order, that it is not germane to the bill.

Mr. HOOKER of Mississippi. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Add to the bill as section 2 the following:

"Be it further enacted, That the duty on bagging and ties and pulp out of which paper is made shall be reduced 20 per cent from the duty imposed by the Dingley tariff."

Mr. PAYNE. Mr. Chairman, I make the point of order that the amendment is not germane to the bill.

The CHAIRMAN. The gentleman from New York makes the point of order that the amendment is not germane to the bill. The Chair sustains the point of order.

Mr. CORLISS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amend by adding at the end of line 4, page 3, the following:

"That the President of the United States is hereby authorized to enter into negotiations with Canada for reciprocal trade relations with a view to the establishment of a commercial agreement in which reciprocal and equivalent concessions may be secured in favor of the following products and manufactures of the United States, to wit:

"Furniture, stoves, drugs, boots and shoes, steel, brass, copper, and iron manufactured products, in consideration of the admission into the United States of wood pulp, hides, and sugar beets free of duty, and lumber, barley, and iron ore at 80 per cent of the rate of duty now levied upon such articles imported from foreign countries.

"Whenever, in the judgment of the President, such reciprocal and equivalent relations have been established by agreement he shall be, and he is hereby, authorized and empowered to suspend by proclamation to that effect the imposition and collection of the duties now required upon the articles above mentioned, and thereafter the duties levied, collected, and paid upon such articles shall be in accordance with the terms of said agreement."

Mr. PAYNE. Mr. Chairman, I make the point of order that the amendment is not germane.

The CHAIRMAN. The gentleman from New York makes the point of order that the amendment is not germane. The Chair sustains the point of order.

Mr. NEWLANDS. Mr. Chairman, I offer the following amendment.



The Clerk read as follows:

Amend by adding a new section, as follows:

"SEC. 2. At the time of making the order reducing the duties on Cuban products as authorized by section 1, the President shall extend to the people of Cuba, through their duly organized government, an invitation to apply for the annexation of the island."

Mr. PAYNE. Enough has been read to show that the amendment is not germane, and I make that point of order.

The CHAIRMAN. The gentleman from New York makes the point of order that the amendment is not germane to the bill.

Mr. NEWLANDS. I would like to argue the point of order.

The CHAIRMAN. The Chair is very clear, without any argument, that it is not germane. It is clearly in line with the former ruling of the Chair.

Mr. NEWLANDS. Does the Chair decline to hear me on that decision?

The CHAIRMAN. The Chair does not decline to hear the gentleman, but says he is ready to rule.

Mr. NEWLANDS. But I wish to argue the point. I think I can give the distinction between the decision of the Chair and the question now under consideration.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. NEWLANDS. Now, in the first place I ask the Clerk, in my time, to read the amendment.

The Clerk read as follows:

Amend by adding a new section, as follows:

"SEC. 2. At the time of making the order reducing the duties on Cuban products as authorized by section 1, the President shall extend to the people of Cuba, through their duly organized government, an invitation to apply for the annexation of the island to the United States as a constitutional part thereof, the said island at first to have the status of an organized Territory, and thereafter full statehood at such time as shall seem proper to the Congress of the United States, and after such annexation is completed the imposition of duties upon the products of Cuba entering the United States and upon the products of the United States entering Cuba shall cease and determine."

Mr. PAYNE. I make the point of order, Mr. Chairman, that it is not germane to the bill.

Mr. NEWLANDS. I will confine myself to the point of order raised by the gentleman. This is an amendment which proposes to establish free trade between Cuba and the United States through a political union, involving the annexation of the island to the United States with her free will and consent. Now, is that amendment germane to this bill? I ask for order, Mr. Chairman.

The CHAIRMAN. The committee will be in order.

Mr. NEWLANDS. Is this amendment germane to the bill under consideration? This bill provides for reciprocal trade relations between Cuba and the United States. It proposes to make a reduction of 20 per cent of the duties upon the products of Cuba coming into this country in consideration of an equal concession made by Cuba, and upon the condition that Cuba shall enact laws similar to our immigration and contract labor laws. What does my amendment propose? It also affects the duties between Cuba and the United States; but instead of reducing those duties only 20 per cent, it proposes to abolish them altogether and to establish free trade between Cuba and the United States by inviting Cuba to become a constitutional part of the United States.

The only distinction between the amendment and this bill is that whilst this bill seeks commercial union only, and that a limited one, my amendment seeks complete commercial and political union and seeks to accomplish commercial union through political union. It is in the same line as the bill proposed, but it goes a step farther.

The CHAIRMAN. The Chair desires not to call any gentleman by name. But if such unseemly conduct as the Chair has recently seen is repeated, the Chair will call the gentleman by name. The Chair thinks the gentleman is entitled at least to a partial respectful hearing while debating a question before the committee. [Loud applause.]

Mr. NEWLANDS. Now, what is the condition in this bill? Why, the condition on which there is to be a reduction of 20 per cent is that Cuba shall enact our immigration and contract labor laws. The condition in my amendment is that Cuba shall by an act of legislation apply for annexation.

Now, Mr. Chairman, in considering a bill proposing a reduction of duties upon the condition that Cuba shall accept a part of our laws, is it not in order to propose the abolition of duties on the condition that Cuba shall come into the Union and be subject to all our laws and our Constitution? So that the purpose of the bill and that of the amendment is similar. One provides for partial commercial union; the other for complete commercial union. One provides for the acceptance of part of our laws; the other provides for the acceptance of all. Now, the amendment may go a little further than the bill, attaching a further condition, spreading the entire body of our laws and of our Constitution over the island of Cuba through an act of legislation to be passed by the island of Cuba. [Cries of "Vote!"] I am aware

that it is late and that members are impatient, but I shall insist on completing my argument. [Cries of "Vote!"]

The CHAIRMAN. The action of the committee will be expedited by gentlemen maintaining order.

Mr. NEWLANDS. Now, the avowed purpose of the bill is for reciprocal trade relations which is to reduce duty. The purpose of the proposed amendment is to secure absolute free trade and is not an extension or enlargement of the other. The purpose of this bill is to reduce the restraints of trade; the purpose of the amendment is to remove them altogether.

Now, then, in another point of view this amendment is germane. This proposed bill is a substantial step in the direction of reducing Cuba to the position of a colonial possession. Already, through the Platt amendment, her autonomy and sovereignty have been seriously restricted.

We have assumed the control of her laws relating to the contraction of debt. We have taken upon ourselves the protection of life, liberty, and property there; we have also taken possession of the military and naval station, and the control of the sanitation of that island. This bill goes one step farther and seeks to impose upon her a part of the legislative system, our laws relating to immigration and contract labor.

Now, I ask if a bill were brought into this House for the purpose of organizing a government in the island of Cuba as a colonial possession, would it not be germane to that bill to offer an invitation to Cuba to become a part of the United States; in other words, to organize a Territorial government? Why, this side of the House took that position with reference to the island of Porto Rico. When it was proposed to bring in a bill for the purpose of creating a colonial government in the island of Porto Rico, what did members on this side do? They proposed to substitute a bill organizing Porto Rico into a Territory.

So with reference to the Philippine Islands bill. If the bill now being framed in the Senate comes to this House organizing a civil government in the Philippine Islands, will it not be germane to the bill to move as an amendment or a substitute that the Philippine Islands be organized into a Territorial form of government? It is true that all of us would be opposed to that so far as the Philippines are concerned, for we prefer to give them their independence and do not wish them as a part of this country. But so far as Cuba is concerned, we are willing to accept her as a part of the Union. When this bill comes to us practically providing for an extension of imperialism over the island of Cuba, for an extension of the new colonial system of government, it seems to me that it is entirely relevant and that the amendment is germane. [Cries of "Vote!" "Vote!" "Vote!"]

I assure the gentlemen that they can not take me off the floor by crying "Vote." I am determined to be heard. If the gentlemen will only listen to me, I will conclude in a few seconds.

Now, then, the island of Cuba must occupy one of four positions with reference to this country. It must either be independent or it must be a ward of this Government, or it must be a colonial possession, or it must be an organized Territory. Now its independence is gone, already taken away by the Platt amendment, and will still further be taken away by this act. It is not yet a colonial possession, but it soon will be unless this side of the House takes strong ground now. Our friends on the other side claim that Cuba is the ward of this country. Very well, take that view; then the island of Cuba passes under the legislation contemplated by this bill as the ward of the Republic. It is our right to insist upon it, and it is our right to insist by amendment that that wardship shall be merged into a closer relation of complete and equal political union with us, if Cuba is willing, and that an invitation be extended for the purpose of ascertaining her will.

The CHAIRMAN. The Chair desires to call the attention of the gentleman from Nevada to the fact that he is not discussing the point of order.

Mr. NEWLANDS. It is true, Mr. Chairman, I was not addressing the Chair, but I insist upon it that my argument was addressed to the point of order. I insist that this is a bill for the extension of imperialism; that it is a step in the line of establishing a colonial system in Cuba, and that it is perfectly germane to move as an amendment that she be invited to become a constitutional part of the Republic. [Cries of "Vote!" "Vote!" "Vote!"]

The CHAIRMAN. The Chair is ready to rule, and evidently the committee desires a ruling. [Applause.] The bill under consideration provides for reciprocal relations with Cuba. The amendment relates to the annexation of Cuba. The amendment is not in order, and the Chair sustains the point of order.

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House with a favorable recommendation.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House bill 12765, to provide for reciprocal trade relations with Cuba, and directed him to report the same back to the House with several amendments with the recommendation that the amendments be adopted and that the bill as amended do pass.

Mr. PAYNE. Mr. Speaker, I move the previous question on the bill and amendments to its final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. PAYNE. I demand a separate vote, Mr. Speaker, on the amendment relating to the differential on sugar.

The SPEAKER. The Chair will submit the amendments of the committee in gross, if there is no objection.

Mr. FLEMING. Mr. Speaker, may I inquire which amendment the Chair refers to?

The SPEAKER. There are certain amendments reported by the Ways and Means Committee, and then there is an amendment reported by the Committee of the Whole. The question is on agreeing to the amendments recommended by the Ways and Means Committee.

The question was taken; and the committee amendments were agreed to.

The SPEAKER. The question now is on the following amendment; which the Clerk will report to the House.

The Clerk read as follows:

Insert after "countries," line 22, page 2, the following:

"And upon the making of said agreement and the issuance of said proclamation, and while said agreement shall remain in force, there shall be levied, collected, and paid, in lieu of the duties thereon now provided by law on all sugars above No. 16 Dutch standard in color, and on all sugar which has gone through a process of refining, imported into the United States, one cent and eight hundred and twenty-five one-thousandths of one cent per pound."

Mr. PAYNE. On that amendment, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 199, nays 105, answering "present" 7, not voting 44; as follows:

## YEAS—199.

Adamson,	Edwards,	Lewis, Ga.	Robertson, La.
Allen, Ky.	Elliott,	Lindsay,	Robinson, Ind.
Apin,	Esch,	Little,	Robinson, Nebr.
Ball, Tex.	Feely,	Littlefield,	Rucker,
Bankhead,	Finley,	Livingston,	Ruppert,
Barney,	Fitzgerald,	Lloyd,	Ryan,
Bartlett,	Fleming,	Loud,	Salmon,
Bell,	Flood,	McAndrews,	Scarborough,
Belmont,	Fordney,	McCleary,	Selby,
Benton,	Foster, Ill.	McClellan,	Shackelford,
Bishop,	Fox,	McCulloch,	Shafroth,
Bowersock,	Gaines, Tenn.	McLachlan,	Shallenberger,
Bowie,	Gardner, Mich.	McLain,	Shelden,
Brantley,	Gilbert,	McRae,	Sims,
Breezeale,	Gill,	Maddox,	Smith, Ill.
Bromwell,	Glenn,	Mahoney,	Smith, Iowa
Broussard,	Goldfogle,	Mann,	Smith, Ky.
Brown,	Gooch,	Maynard,	Smith, H. C.
Brundidge,	Green, Pa.	Meyer, La.	Smith, S. W.
Burgess,	Greene, Mass.	Mickey,	Smith, Wm. Alden
Burkett,	Griggs,	Miers, Ind.	Snodgrass,
Burleson,	Hall,	Miller,	Snook,
Burnett,	Hamilton,	Moon,	Southard,
Butler, Mo.	Haugen,	Morris,	Sparkman,
Calderhead,	Hay,	Moss,	Spight,
Caldwell,	Henry, Miss.	Mudd,	Stark,
Candler,	Hepburn,	Mutchler,	Stephens, Tex.
Cassingham,	Hitt,	Napen,	Stevens, Minn.
Clark,	Holliday,	Needham,	Sulzer,
Clayton,	Hooker,	Neville,	Sutherland,
Cochran,	Howard,	Newlands,	Swanson,
Conner,	Hull,	Norton,	Talbert,
Coombs,	Jackson, Kans.	Otey,	Tate,
Cooney,	Johnson,	Padgett,	Taylor, Ala.
Cooper, Wis.	Jones, Va.	Patterson, Tenn.	Thomas, Iowa
Corliss,	Kahn,	Perce,	Thomas, N. C.
Cousins,	Kehoe,	Pou,	Thompson,
Cowherd,	Kern,	Powers, Mass.	Underwood,
Crowley,	Kitchin, Wm. W.	Prince,	Vandiver,
Crumpacker,	Kleberg,	Pugsley,	Warner,
Cushman,	Klutz,	Randell, Tex.	Weeks,
Dahle,	Knox,	Reid,	Wheeler,
Darragh,	Lacey,	Rhea, Va.	White,
Davey, La.	Lamb,	Richardson, Ala.	Wiley,
Davidson,	Lanham,	Richardson, Tenn.	Williams, Ill.
Davis, Fla.	Latimer,	Rixey,	Williams, Miss.
Dayton,	Lawrence,	Robb,	Woods,
De Armond,	Lessler,	Roberts,	Zenor.
Dinsmore,	Lever,		
Dougherty,			

## NAYS—105.

Adams,	Bingham,	Bull,	Cassel,
Alexander,	Blackburn,	Burk, Pa.	Connell,
Allen, Me.	Boutell,	Burleigh,	Cromer,
Ball, Del.	Brick,	Burton,	Currier,
Bartholdt,	Bristow,	Butler, Pa.	Curtis,
Bates,	Brownlow,	Cannon,	Dalzell,

Deemer,	Hedge,	Metcalf,	Skiles,
Dick,	Hemenway,	Mondell,	Southwick,
Douglas,	Henry, Conn.	Moody, N. C.	Sperry,
Draper,	Hildebrandt,	Moody, Oreg.	Stewart, N. J.
Driscoll,	Hill,	Morgan,	Stewart, N. Y.
Emerson,	Howell,	Morrell,	Storm,
Evans,	Irwin,	Nevin,	Sulloway,
Foerderer,	Jack,	Olsted,	Taylor, Ohio
Foss,	Joy,	Palmer,	Tompkins, N. Y.
Foster, Vt.	Ketcham,	Parker,	Tompkins, Ohio
Fowler,	Knapp,	Patterson, Pa.	Tongue,
Gardner, N. J.	Kyle,	Payne,	Vreeland,
Gibson,	Landis,	Pearre,	Wachter,
Gillet, N. Y.	Lewis, Pa.	Perkins,	Wanger,
Gillett, Mass.	Littauer,	Ray, N. Y.	Warnock,
Graff,	Long,	Reeves,	Watson,
Graham,	Loudenslager,	Russell,	Wright,
Grosvenor,	McCall,	Schirm,	Young,
Grow,	Mahon,	Scott,	
Hanbury,	Marshall,	Sherman,	
Haskins,	Martin,	Sibley,	

## ANSWERED "PRESENT"—7.

Capron,	Gordon,	Otjen,	Trimble.
Cooper, Tex.	Griffith,	Tirrell,	

## NOT VOTING—44.

Acheson,	Dovener,	Kitchin, Claude	Shattuc,
Babcock,	Eddy,	Lassiter,	Sheppard,
Beidler,	Fletcher,	Lester,	Showalter,
Bellamy,	Gaines, W. Va.	Lovering,	Slayden,
Blakeney,	Heatwole,	McDermott,	Small,
Boreing,	Henry, Tex.	Minor,	Steele,
Burke, S. Dak.	Hopkins,	Moody, Mass.	Thayer,
Conry,	Hughes,	Overstreet,	Van Voorhis,
Creamer,	Jackson, Md.	Powers, Me.	Wadsworth,
Cummings,	Jenkins,	Reeder,	Wilson,
De Graffenreid,	Jett,	Rumple,	Wooten.

So the amendment was agreed to.

The following pairs were announced:

For the session:

Mr. BOREING with Mr. TRIMBLE.

Until further notice:

Mr. BABCOCK with Mr. CUMMINGS.

Mr. EDDY with Mr. SHEPPARD.

Mr. CAPRON with Mr. JETT.

Mr. OVERSTREET with Mr. GRIFFITH.

Mr. ACHESON with Mr. WILSON.

Mr. STEELE with Mr. COOPER of Texas.

Mr. VAN VOORHIS with Mr. GORDON.

Mr. SHOWALTER with Mr. SLAYDEN.

For this day:

Mr. BURKE of South Dakota with Mr. BELLAMY.

Mr. BEIDLER with Mr. LESTER.

Mr. BLAKENEY with Mr. VANDIVER.

Mr. POWERS of Maine with Mr. DE GRAFFENREID.

Mr. RUMPLE with Mr. CLAUDE KITCHIN.

Mr. DOVENER with Mr. CREAMER.

Mr. REEDER with Mr. HENRY of Texas.

Mr. JACKSON of Maryland with Mr. SMALL.

On this bill:

Mr. TIRRELL with Mr. CONRY (except on final passage).

Mr. HOPKINS with Mr. GAINES of West Virginia.

Mr. FLETCHER (against the bill) with Mr. SHATTUC (for the bill).

Mr. JENKINS (against the bill) with Mr. McDERMOTT (for the bill).

Mr. WADSWORTH (for the bill) with Mr. HEATWOLE (against the bill).

Mr. LOVERING with Mr. HUGHES.

Mr. OTJEN (for the bill) with Mr. MINOR (against the bill).

Mr. MOODY of Massachusetts with Mr. THAYER (except on final passage).

Mr. COOPER of Texas. Mr. Speaker, I am paired with the gentleman from Indiana [Mr. STEELE]. I voted in the affirmative, but I wish to withdraw my vote and be recorded "present."

Mr. GORDON. Mr. Speaker, I voted "aye" on this question; but as I am paired with my colleague [Mr. VAN VOORHIS], I wish to withdraw my vote and be recorded "present."

The result of the vote was announced as above recorded.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. PAYNE. On that question I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 246, nays 54, answering "present" 7, not voting 48; as follows:

## YEAS—246.

Adamson,	Bates,	Brick,	Burleson,
Alexander,	Belmont,	Bristow,	Burnett,
Allen, Ky.	Benton,	Brownlow,	Burton,
Allen, Me.	Bingham,	Brundidge,	Butler, Mo.
Ball, Del.	Blackburn,	Bull,	Butler, Pa.
Ball, Tex.	Boutell,	Burgess,	Calderhead,
Bankhead,	Bowersock,	Burk, Pa.	Caldwell,
Bartholdt,	Bowie,	Burkett,	Candler,
Bartlett,	Brantley,	Burleigh,	Cannon,



Cassel,  
Cassingham,  
Clark,  
Clayton,  
Cochran,  
Connell,  
Conner,  
Cooney,  
Cooper, Wis.  
Cousins,  
Cowherd,  
Cromer,  
Crowley,  
Crumpacker,  
Currier,  
Curtis,  
Dalzell,  
Davidson,  
De Armond,  
Deemer,  
Dinsmore,  
Dougherty,  
Douglas,  
Draper,  
Driscoll,  
Edwards,  
Elliott,  
Emerson,  
Evans,  
Feely,  
Finley,  
Fitzgerald,  
Fleming,  
Flood,  
Foerderer,  
Foss,  
Foster, Ill.  
Foster, Vt.  
Fowler,  
Fox,  
Gaines, Tenn.  
Gardner, N. J.  
Gibson,  
Gilbert,  
Gill,  
Gillett, N. Y.  
Glenn,  
Goldfogle,  
Gooch,  
Graff,  
Graham,  
Green, Pa.  
Greene, Mass.

Griffith,  
Griggs,  
Grow,  
Hall,  
Hanbury,  
Haskins,  
Hay,  
Hedge,  
Hemenway,  
Henry, Conn.  
Henry, Miss.  
Hill,  
Hitt,  
Holliday,  
Howard,  
Howell,  
Hull,  
Irwin,  
Jack,  
Jackson, Kans.  
Johnson,  
Jones, Va.  
Joy,  
Kehoe,  
Kern,  
Ketcham,  
Kitchin, Wm. W.  
Kleberg,  
Kluttz,  
Knapp,  
Knox,  
Kyle,  
Lacey,  
Lamb,  
Landis,  
Lanham,  
Latimer,  
Lawrence,  
Lessler,  
Lever,  
Lewis, Ga.  
Lewis, Pa.  
Lindsay,  
Littauer,  
Little,  
Livingston,  
Lloyd,  
Long,  
Loudenslager,  
McAndrews,  
McCall,  
McClellan,  
McCulloch,

McLain,  
McRae,  
Maddox,  
Mahon,  
Mahony,  
Mann,  
Marshall,  
Martin,  
Maynard,  
Mercer,  
Mickey,  
Miers, Ind.  
Miller,  
Mondell,  
Moody, N. C.  
Moody, Oreg.  
Moon,  
Morgan,  
Morrell,  
Moss,  
Mudd,  
Mutchler,  
Naphen,  
Nevin,  
Norton,  
Olmsted,  
Otey,  
Padgett,  
Palmer,  
Parker,  
Patterson, Pa.  
Patterson, Tenn.  
Payne,  
Pearre,  
Perkins,  
Pierce,  
Pou,  
Powers, Mass.  
Pugsley,  
Randell, Tex.  
Ray, N. Y.  
Reeves,  
Reid,  
Rhea, Va.  
Richardson, Ala.  
Richardson, Tenn.  
Rixey,  
Robb,  
Roberts,  
Robinson, Ind.  
Robinson, Nebr.  
Rucker,  
Ruppert,

Russell,  
Ryan,  
Salmon,  
Scarborough,  
Schirm,  
Scott,  
Selby,  
Shackleford,  
Shallenberger,  
Sherman,  
Sibley,  
Sims,  
Skiles,  
Smith, Iowa  
Smith, Ky.  
Snodgrass,  
Snook,  
Southard,  
Southwick,  
Sperry,  
Spight,  
Stark,  
Stephens, Tex.  
Stewart, N. J.  
Stewart, N. Y.  
Storm,  
Sulloway,  
Sulzer,  
Swanson,  
Talbert,  
Tate,  
Taylor, Ala.  
Thomas, Iowa  
Thomas, N. C.  
Thompson,  
Tompkins, N. Y.  
Tongue,  
Underwood,  
Vreeland,  
Wachter,  
Wanger,  
Warnock,  
Watson,  
Wheeler,  
White,  
Wiley,  
Williams, Ill.  
Williams, Miss.  
Wright,  
Young,  
Zenor.

#### NAYS—54.

Aplin,  
Barney,  
Bell,  
Bishop,  
Brazzale,  
Bromwell,  
Broussard,  
Brown,  
Coombs,  
Corliss,  
Cushman,  
Dahle,  
Darragh,  
Davey, La.

Davis, Fla.  
Dayton,  
Dick,  
Esch,  
Fletcher,  
Fordney,  
Gardner, Mich.  
Grosvenor,  
Hamilton,  
Heppburn,  
Hildebrandt,  
Jones, Wash.  
Kahn,  
Littlefield,

Loud,  
McCleary,  
McLachlan,  
Metcalf,  
Meyer, La.  
Morris,  
Needham,  
Neville,  
Prince,  
Ransdell, La.  
Robertson, La.  
Shafroth,  
Shelden,  
Smith, Ill.

Smith, H. C.  
Smith, S. W.  
Smith, Wm. Alden  
Sparkman,  
Stevens, Minn.  
Sutherland,  
Tawney,  
Taylor, Ohio  
Tompkins, Ohio.  
Warner,  
Weeks,  
Woods.

#### ANSWERED "PRESENT"—7.

Capron,  
Gordon,

Haugen,  
Hooker,

Otjen,  
Tirrell,

Trimble.

#### NOT VOTING—48.

Acheson,  
Adams,  
Babcock,  
Beidler,  
Bellamy,  
Blakeney,  
Boreing,  
Burke, S. Dak.  
Conry,  
Cooper, Tex.  
Cramer,  
Cummings,

De Graffenreid,  
Dovener,  
Eddy,  
Gaines, W. Va.  
Gillett, Mass.  
Heatwole,  
Henry, Tex.  
Hopkins,  
Hughes,  
Jackson, Md.  
Jenkins,  
Jett,

Kitchin, Claude  
Lassiter,  
Lester,  
Lovering,  
McDermott,  
Minor,  
Moody, Mass.  
Newlands,  
Overstreet,  
Powers, Me.  
Reeder,  
Rumple,

Shattuc,  
Sheppard,  
Showalter,  
Slayden,  
Small,  
Steele,  
Thayer,  
Vandiver,  
Van Voorhis,  
Wadsworth,  
Wilson,  
Wooten.

So the bill was passed.

The Clerk announced the following additional pairs:

For the remainder of this day:

Mr. ADAMS with Mr. HOOKER.

Mr. SHATTUC with Mr. WOOTEN.

Mr. HAUGEN with Mr. SMALL.

On motion of Mr. PAYNE, a motion to reconsider the last vote was laid on the table.

#### CHINESE-EXCLUSION BILL.

Mr. HITT. Mr. Speaker, I ask unanimous consent to take up the bill (H. R. 13031) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent, which passed the House a few days ago, and which went to the Senate and has been returned and is on the Speaker's table with amendments. I ask that the House nonconcur in the amendments and ask for a conference.

The SPEAKER. The gentleman from Illinois, chairman of the Committee on Foreign Affairs, asks unanimous consent to take from the Speaker's table the bill H. R. 13031, the Chinese-

exclusion bill, which recently passed the House and has come back with Senate amendments, requesting that the House disagree to the amendments of the Senate and ask for a conference. Is there objection?

There was no objection.

The SPEAKER announced as conferees on the part of the House, Messrs. HITT, PERKINS, and CLARK.

#### ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 12452. An act granting to the Mobile, Jackson and Kansas City Railroad Company the right to use for railroad purposes the tract of land at Choctaw Point, Mobile County, Ala., and now held for light-house purposes; and

H. R. 11636. An act providing for the transfer of the title to the military reservation at Baton Rouge, La., to the Louisiana State University and Agricultural and Mechanical College.

#### SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and a joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5062. An act to authorize the county commissioners of Crow Wing County, in the State of Minnesota, to construct a bridge across the Mississippi River at a point between Pine River and Dean Brook, subject to the approval of the Secretary of War—to the Committee on Interstate and Foreign Commerce.

S. 4868. An act granting an increase of pension to James H. Walker—to the Committee on Pensions.

S. 3896. An act to amend section 3362 of the Revised Statutes relating to tobacco—to the Committee on Ways and Means.

S. R. 82. Joint resolution providing for the printing annually of franks required for sending out seed—to the Committee on Printing.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. EDDY until May 1, on account of important business.

#### GEORGE T. LARKIN.

By unanimous consent, on motion of Mr. RHEA of Virginia, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of George T. Larkin, Fifty-seventh Congress, no adverse report having been made thereon.

And then, on motion of Mr. PAYNE (at 6 o'clock and 44 minutes p. m.), the House adjourned until to-morrow, Saturday, April 19, at 12 o'clock m.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of appropriation for the Government lot at Mount Moriah Cemetery—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting a letter from the military governor of Cuba relating to the state of the sugar crop—to the Committee on Ways and Means, and ordered to be printed.

A letter from the Secretary of War, transmitting a copy of a communication from the Secretary of State inclosing protest of the Chinese Government against exclusion of Chinese from the Philippines—to the Committee on Foreign Affairs, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, recommending an appropriation for repairs at light-house at Rockland Lake, Hudson River, New York—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of A. B. Baker, administrator of estate of John T. Gray, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of B. Frank Perry, administrator de bonis non of estate of Ephraim Cooper, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of appropriation for pianos for new school building—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of War relating to the reimbursement of Messrs. H. B. Riden and William W. Thompson—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting, with a report from the Commissioner of Indian Affairs, a draft of a bill relating to the sale of certain Pottawatomie and Kickapoo Indian lands—to the Committee on Indian Affairs, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. FLYNN, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 4556) to amend an act entitled "An act to supplement existing laws relating to the disposition of lands, etc.," approved March 3, 1901, reported the same with amendment, accompanied by a report (No. 1606); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. REEVES, from the Committee on Patents, to which was referred the bill of the House (H. R. 12807) to amend section 4929, Revised Statutes, relating to design patents, reported the same with amendment, accompanied by a report (No. 1661); which said bill and report were referred to the House Calendar.

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 13819) for the relief of certain indigent Choctaw and Chickasaw Indians in the Indian Territory, and for other purposes, reported the same without amendment, accompanied by a report (No. 1663); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. LACEY, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 1305) for the relief of Mrs. Arivella D. Meeker, reported the same with amendment, accompanied by a report (No. 1662); which said bill and report were referred to the Private Calendar.

Mr. CLAYTON, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 4446) for the relief of Harry C. Mix, reported the same without amendment, accompanied by a report (No. 1664); which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. YOUNG: A bill (H. R. 13817) to establish a fish-hatching and fish station in the State of Pennsylvania—to the Committee on the Merchant Marine and Fisheries.

By Mr. CURTIS: A bill (H. R. 13818) to allot the lands of the Cherokee tribe of Indians in the Indian Territory, and for other purposes—to the Committee on Indian Affairs.

Also, from the Committee on Indian Affairs, a bill (H. R. 13819) for the relief of certain indigent Choctaw and Chickasaw Indians in the Indian Territory, and for other purposes—to the Union Calendar.

By Mr. TONGUE: A joint resolution (H. J. Res. 182) authorizing the Director of the Census to compile statistics relating to irrigation—to the Select Committee on the Census.

By Mr. GROSVENOR: Memorial of the legislature of Ohio, favoring schools of mines—to the Committee on Mines and Mining.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. BRICK: A bill (H. R. 13820) granting a pension to Mary S. Mattingly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13821) for the relief of Martin D. Puckett—to the Committee on War Claims.

By Mr. BURK of Pennsylvania: A bill (H. R. 13822) granting a pension to Hannah T. Knowles—to the Committee on Pensions.

By Mr. CANDLER: A bill (H. R. 13823) for the relief of the heirs of George W. Gardner, deceased—to the Committee on War Claims.

By Mr. COONEY: A bill (H. R. 13824) granting a pension to Fielding W. Means—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 13825) to remove the charge of desertion from George W. Phillips—to the Committee on Military Affairs.

By Mr. ELLIOTT: A bill (H. R. 13826) granting an increase of pension to Francis N. Bonneau—to the Committee on Pensions.

By Mr. GOOCH: A bill (H. R. 13827) for the relief of Mary Zepf, widow of Louis Zepf, deceased—to the Committee on War Claims.

By Mr. HAMILTON: A bill (H. R. 13828) granting an increase of pension to George N. Dutcher—to the Committee on Invalid Pensions.

By Mr. JACKSON of Kansas: A bill (H. R. 13829) granting a pension to Andrew J. Howell—to the Committee on Invalid Pensions.

By Mr. JOY: A bill (H. R. 13830) for the relief of Edward Cahalan—to the Committee on War Claims.

By Mr. LEVER: A bill (H. R. 13831) to correct the military record of James O'C. Cassidy—to the Committee on Military Affairs.

By Mr. MAHON: A bill (H. R. 13832) granting an increase of pension to Henry Reed—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 13833) for the relief of Mary L. Bernard—to the Committee on War Claims.

Also, a bill (H. R. 13834) to place Dr. Henry Smith on the retired list of the Army—to the Committee on Military Affairs.

Also, a bill (H. R. 13835) for the relief of Martha Louisa Whitaker—to the Committee on War Claims.

By Mr. McRAE: A bill (H. R. 13836) granting an increase of pension to Samuel Hodges—to the Committee on Invalid Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 13837) authorizing the Commissioners of the District of Columbia to receive and audit certificate of indebtedness No. 14780—to the Committee on the District of Columbia.

By Mr. MOSS: A bill (H. R. 13838) granting an increase of pension to Valentine Moulder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13839) granting an increase of pension to John W. B. Huntsman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13840) granting an increase of pension to W. L. Kingrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13841) granting an increase of pension to Richard F. Hargis—to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 13842) granting a pension to Charles S. Moy—to the Committee on Invalid Pensions.

By Mr. THOMAS of Iowa: A bill (H. R. 13843) granting an increase of pension to O. D. Heald—to the Committee on Invalid Pensions.

By Mr. YOUNG: A bill (H. R. 13844) granting an increase of pension to Lawson T. Pearson—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 13845) for the relief of the widow of Joseph Culley—to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Resolutions of the Maritime Association of the Port of New York, urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petition of Steam Pipe Coverers of Buffalo, N. Y., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. APLIN: Resolutions of Polish societies of Bay City and Gaylor, Mich., favoring the erection of a statue to the late Brigadier-General Count Pulaski, at Washington—to the Committee on the Library.

By Mr. BINGHAM: Petitions of E. H. Coates, S. H. Chapman, and others, of Philadelphia, Pa., for the adoption of a proposed amendment to the act of February 10, 1891, for the prevention of counterfeiting of United States coin—to the Committee on the Judiciary.

Also, resolution of the Philadelphia Maritime Exchange, urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petition of James A. Donnelly and others, of Philadelphia, Pa., in favor of House bills 178 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.



By Mr. BROWN: Resolutions of a meeting of Boer sympathizers in Milwaukee, Wis., in relation to the war in South Africa—to the Committee on Foreign Affairs.

By Mr. BROWNLOW: Petition of the heirs of David Sevier, deceased, late of Sullivan County, Tenn., for reference of war claim to Court of Claims—to the Committee on War Claims.

By Mr. BURKETT: Petition of soldiers of Harriette, Mich., in favor of the passage of House bill 7475, for additional homesteads—to the Committee on the Public Lands.

By Mr. BURLEIGH: Petition of citizens of Castine, Me., for an appropriation to secure the preservation of the earthworks at Fort Madison—to the Committee on Appropriations.

By Mr. BURNETT: Petition of Samuel, John W., James S., and William Noble, of Floyd County, Ga., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. BURTON: Petition of E. M. Dighton and other postal clerks of Cleveland, Ohio, for the passage of House bill 5286, for the classification of salaries of clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. CALDERHEAD: Petition of T. J. Morgan and officers of various missionary boards in the United States, protesting against the teachings and institutions of Mormonism—to the Committee on the Judiciary.

Also, petition of Woman's Board of Home Missions of the Presbyterian Church, New York, protesting against the passage of House bill 12543, for the admission of the Territories of Arizona and New Mexico to statehood—to the Committee on the Territories.

By Mr. CANDLER: Papers to accompany House bill for the relief of the heirs of George W. Gardner, deceased—to the Committee on War Claims.

By Mr. CONNELL: Resolutions of Mine Workers' Union No. 1691, of Olyphant, Pa., and Federal Union No. 7204, of Carbon-dale, Pa., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. COONEY: Papers to accompany House bill granting a pension to Fielding W. Means—to the Committee on Invalid Pensions.

By Mr. DEEMER: Petition of citizens of Williamsport, Pa., and vicinity, asking that the sale of liquor in the National Homes for Old Soldiers be abolished—to the Committee on Military Affairs.

Also, resolutions of John S. Bittner Post, No. 122, Grand Army of the Republic, Department of Pennsylvania, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

By Mr. DOUGLAS: Resolutions of West Side Republican Club, New York City, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Maritime Association of the Port of New York, urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. DRAPER: Resolutions of Central Federation of Labor, Troy, N. Y., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. FITZGERALD: Resolutions of Third Assembly Democratic Club, of Brooklyn, N. Y., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. GAINES: Petition of W. R. P. Batson, heir of Nancy Batson, deceased, asking that his claim be referred to the Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. GIBSON: Petition of A. Lafayette Prater, of Knox County, Tenn., asking that his claim be referred to the Court of Claims under the Bowman Act—to the Committee on War Claims.

Also, petition of Aaron Bullock, of Campbell County, Tenn., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. GORDON: Resolutions of Central Trades Council of Sidney, Ohio, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. GRAHAM: Resolution of the Trades League of Philadelphia, relating to House bill 7645, to maintain the legal-tender silver dollar at a parity with gold and to increase the subsidiary silver coinage—to the Committee on Coinage, Weights, and Measures.

Also, resolutions of the Merchants' Association of New York, urging reciprocity with Cuba upon the basis of not less than 40 per cent reduction—to the Committee on Ways and Means.

Also, resolutions of Colonel John W. Patterson Post, No. 151, Grand Army of the Republic, Department of Pennsylvania, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

By Mr. HILL (by request): Petition of George Rutherford, of

Bridgeport, Conn., asking for an honorable discharge from the Army—to the Committee on Military Affairs.

Also, resolutions of Cigar Makers' Union No. 282, of Bridgeport, Conn., on the subject of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of the Barbers' Union No. 175, of Danbury, Conn., and Cigar Makers' Union No. 285, of Bridgeport, Conn., favoring the continued exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. JOY: Papers to accompany bill for the relief of Edward Caholan—to the Committee on War Claims.

By Mr. LACEY: Resolutions of Labor Union No. 1993, of Pella, Iowa, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. LANHAM: Paper to accompany House bill granting a pension to Nancy Jones—to the Committee on Pensions.

By Mr. LITTLEFIELD: Resolutions of Brotherhood of Railroad Trainmen of Bangor, Me., favoring an educational restriction on immigration—to the Committee on Immigration and Naturalization.

By Mr. MANN: Resolution of Building Trades Council of Chicago, Ill., in favor of Senate bill 1118, to limit the meaning of the word "conspiracy," etc., in certain cases—to the Committee on the Judiciary.

Also, petitions of citizens of Chicago, Ill., favoring the passage of Senate bill 3057, relating to irrigation—to the Committee on Irrigation of Arid Lands.

Also, resolutions of Lake Carriers' Association, against the Mather Power Bridge over the Niagara River to Grand Island—to the Committee on Interstate and Foreign Commerce.

By Mr. McCLEARY: Petition of W. S. Nott Company, Minneapolis, Minn., in favor of amendments to the bankruptcy act—to the Committee on the Judiciary.

Also, resolution of the St. Paul (Minn.) Chamber of Commerce, favoring irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. MUTCHLER: Papers to accompany House bill 12382, granting a pension to William Sands—to the Committee on Invalid Pensions.

By Mr. OLMSTED: Petition of the Hummelstown Journeymen Stone Cutters' Association, praying that Cleveland sandstone be used in the construction of the Federal building at Cleveland, Ohio—to the Committee on Public Buildings and Grounds.

Also, resolution of Mine Workers' Union No. 1062, Wiconisco, Pa., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Captain Joshua W. Sharp Post, No. 371, of Newville; Post No. 351, of Steelton; St. Arnold Lobach Post, No. 297, of Newport, and Post No. 408, of Liverpool, Grand Army of the Republic, Department of Pennsylvania, favoring House bill 3067, relating to pensions—to the Committee on Invalid Pensions.

Also, resolutions of Local Union No. 287, of Harrisburg, Pa., favoring the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of united labor organizations of Harrisburg, Pa., and vicinity, favoring the passage of the Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. RICHARDSON of Alabama: Petition of Daniel Thompson, for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. RUPPERT: Memorial of the Merchants' Association of New York, for reciprocity with Cuba—to the Committee on Ways and Means.

Also, resolution of the Maritime Association of the Port of New York, urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Petition of Arkansas Pharmacists' Association, in relation to bill to regulate Marine-Hospital Service—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Lake Carriers' Association, against the Mather Power Bridge over the Niagara River to Grand Island—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the same association urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. SAMUEL W. SMITH: Resolutions of Central Labor Union of Flint, Mich., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. STEPHENS of Texas: Resolution of the National Live Stock Association, favoring the passage of the bill to extend the limit of cattle from twenty-eight to forty hours—to the Committee on Interstate and Foreign Commerce.

By Mr. SUTHERLAND: Petition of the Commercial Club of Salt Lake City, Utah, in favor of the annexation of a portion of Arizona to Utah—to the Committee on the Territories.

By Mr. TATE: Paper to accompany House bill 13706, granting a pension to Arelia C. Pool—to the Committee on Pensions.

Also, paper to accompany House bill 12930, granting a pension to Theodore Cole—to the Committee on Invalid Pensions.

By Mr. TOMPKINS of Ohio: Resolution of Columbus (Ohio) Board of Trade, favoring House bill 8337 and Senate bill 3575, amending the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG: Petition of H. W. Flickinger and other citizens of Philadelphia, Pa., favoring an amendment to the Constitution making polygamy a crime—to the Committee on the Judiciary.

## SENATE.

SATURDAY, April 19, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved. It is approved.

### PETITIONS AND MEMORIALS.

Mr. DILLINGHAM presented petitions of the trustees of the Howard Relief Society of Vermont; of Quarrymen's Union No. 9666, of Graniteville; of Local Union No. 8693, of Brattleboro; of the American Federation of Labor, and of G. L. Blodgett Lodge, No. 495, Brotherhood of Railroad Trainmen, of St. Johnsbury, all in the State of Vermont, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. FAIRBANKS presented a petition of Hod Carriers' Local Union No. 7343, American Federation of Labor, of South Bend, Ind., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented the petition of William Watson Woollen, of Indianapolis, Ind., praying for the enactment of legislation providing for the protection of game in Alaska; which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. HOAR presented a memorial of the Central Labor Union of Taunton, Mass., remonstrating against any reduction of the impost duty on cigars imported from Cuba or the Philippine Islands; which was referred to the Committee on Finance.

He also presented a petition of the Merchants' Association of Fitchburg, Mass., praying for the enactment of legislation to secure the greatest efficiency in the consular service of the Government, particularly as it relates to our export trade; which was referred to the Committee on Foreign Relations.

He also presented petitions of Rubber Workers' Local Union No. 8622, of Cambridge; of Boot and Shoe Workers' Local Union No. 275, of Avon, and of the Central Labor Union, of Taunton, all in the State of Massachusetts, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. DOLLIVER presented a petition of Lodge No. 247, Brotherhood of Railroad Trainmen, of Sioux City, Iowa, praying for the passage of the so-called Foraker-Corliss safety-appliance bill; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Commercial Club, of Muscatine, Iowa, praying for the enactment of legislation providing for the reorganization of the consular service; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Ottumwa, Iowa, praying for the enactment of legislation providing for the appointment of a commission to investigate the results of the operation of equal suffrage in the States where it has been tried; which was referred to the Committee on Privileges and Elections.

He also presented petitions of Federal Labor Union No. 6303, of Muscatine; of Federal Labor Union No. 7217, of Des Moines, and of Federal Labor Union No. 7310, of Centerville, all of the American Federation of Labor, in the State of Iowa, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. SIMMONS presented a petition of the Central Labor Union, American Federation of Labor, of Charlotte, N. C., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of Federal Labor Union No. 9564,

of Concord; of Central Labor Union, of Charlotte, and of Local Union No. 224, of Charlotte, all of the American Federation of Labor, in the State of North Carolina, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

### REPORTS OF COMMITTEES.

Mr. WETMORE, from the Committee on the Library, to whom was referred the bill (S. 479) to provide a commission to secure plans and designs for a monument or memorial to the memory of Abraham Lincoln, late President of the United States, reported adversely thereon, and the bill was postponed indefinitely.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them each without amendment, and submitted reports thereon:

A bill (S. 5214) granting an increase of pension to Charles F. Smith; and

A bill (H. R. 11545) granting an increase of pension to Caroline R. Boyd.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 13371) granting an increase of pension to Charles D. Palmer, reported it with an amendment, and submitted a report thereon.

Mr. QUARLES, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 53) for the protection of cities and towns in the Indian Territory, and for other purposes, reported it with an amendment, and submitted a report thereon.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 3296) to pay certain Choctaw (Indian) warrants held by James M. Shackelford, reported it without amendment.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. JONES of Arkansas. Connected with the bill, I present a letter from the Secretary of the Interior to the chairman of the Committee on Indian Affairs, and one from the Commissioner of Indian Affairs to the Secretary of the Interior bearing upon this matter, which I move be printed as a document.

The motion was agreed to.

Mr. TURNER, from the Committee on Pensions, to whom was referred the bill (S. 288) granting an increase of pension to De Witt C. Bennett, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 4129) granting an increase of pension to Lonson R. Burr, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4141) granting an increase of pension to John Cook, reported it with amendments, and submitted a report thereon.

### HERBERT A. BOOMHOWER.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4821) granting an increase of pension to Herbert A. Boomhower, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

J. H. GALLINGER,  
J. C. FRITCHARD,  
PARIS GIBSON,  
*Managers on the part of the Senate.*  
S. W. SMITH,  
A. B. DARRAGH,  
RUDOLPH KLEBERG,  
*Managers on the part of the House.*

The report was agreed to.

### BILLS INTRODUCED.

Mr. McMILLAN introduced a bill (S. 5333) for the relief of George E. Rogers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 5334) requiring places of business in the District of Columbia to be closed on Sunday; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 5335) granting a pension to Ransom M. Fillmore; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 5336) granting a pension to Ann M. Green; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. GAMBLE (for Mr. BURNHAM) introduced a bill (S. 5337) granting an increase of pension to Marietta L. Adams; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 5338) granting an increase of pension to John Cook; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.